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HARYANA GOVERNMENT
GENERAL ADMINISTRATION DEPARTMENT
CABINET SECTION

Notification

The 23rd July, 2015

No. 1/3/2014-2 Cabinet— The Governor of Haryana, on the advice of the Chief Minister, has been pleased to appoint the following Members of Legislative Assembly to be the members of the Council of Ministers:-

MINISTER

1. Shri Krishan Lal Panwar

MINISTER OF STATE

1. Shri Ghanshyam Saraf
2. Shri Nayab Singh

They have taken the oath of office and secrecy and entered upon the duties of their office with effect from 23rd July, 2015.

NEELAM P. KASNI,
Secretary to Governor, Haryana.

D.S. DHESI,
Chief Secretary to Government, Haryana.

HARYANA GOVERNMENT
POLITICAL AND PARLIAMENTARY AFFAIRS DEPARTMENT

Notification

The 23rd July, 2015

No. 27/1/2015-3Pol.— The Governor of Haryana is pleased to appoint the followings as Chief Parliamentary Secretaries for the State of Haryana with effect from 23rd July, 2015 :-

1. Sh. Shyam Singh.
2. Bakhshish Singh Virk.
3. Smt. Seema Trikha.
4. Dr. Kamal Gupta S/o Shri Manphool Singh

2. They will be entitled to salary and allowances as specified in the Haryana Government sanction issued *vide* letter No. 27/1/2006-3Pol, dated 13.1.2006, dated 6.5.2008, 17.12.2010 and dated 17.10.2013.

Chandigarh :
The 23rd July, 2015.

D. S. DHESI,
Chief Secretary to Government, Haryana.

HARYANA VIDHAN SABHA SECRETARIAT

Notification

The 23rd July, 2015

No. HVS/Petitions/1/2015-16/47.— Smt. Seema Trikha, M.L.A has resigned from the Committee on Petitions as Special Invitee on 23rd July, 2015 and the Hon'ble Speaker has accepted the same on 23rd July, 2015.

By order of the Hon'ble Speaker.

Chandigarh :
The 23rd July, 2015.

SUMIT KUMAR,
Principal Secretary.

HARYANA VIDHAN SABHA SECRETARIAT

Notification

The 23rd July, 2015

No. HVS/LIB/1/2015-16/48.— The Hon'ble Speaker has been pleased to accept the resignation of Smt. Seema Trikha, MLA as Chairperson of the Library Committee with effect from 23rd July, 2015.

By order of the Hon'ble Speaker.

Chandigarh :
The 23rd July, 2015.

(Sd.)...,
Secretary,
Haryana Vidhan Sabha, Chandigarh.

हरियाणा सरकार

आबकारी तथा कराधान विभाग

अधिसूचना

दिनांक 23 जुलाई, 2015

संख्या 19/एस0टी0-1/ह0अ0 6/2003/धा0 60/2015.— चूकि, हरियाणा राज्य सरकार की संतुष्टि हो गई है कि ऐसी परिस्थितियां विद्यमान हैं जिनके कारण लोकहित में तुरन्त कार्यवाही करना आवश्यक है;

अब, इसलिए, हरियाणा मूल्य वर्धित कर अधिनियम, 2003 (2003 का 6), की धारा 60 की उप-धारा (1) के साथ पठित उक्त उप-धारा के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, हरियाणा के राज्यपाल, इसके द्वारा, पूर्व नोटिस की शर्त को अभिमुक्त करते हुए, हरियाणा मूल्य वर्धित कर नियम, 2003 को आगे संशोधित करने के लिए निम्नलिखित नियम बनाते हैं, अर्थात्:-

1. (1) ये नियम हरियाणा मूल्य वर्धित कर (संशोधन) नियम, 2015 कहे जा सकते हैं।
(2) ये 17 मई, 2010 की तिथि से लागू हुए समझे जाएंगे।
2. हरियाणा मूल्य वर्धित कर नियम, 2003, में, नियम 25 में:-

- (क) उप-नियम (2) के स्थान पर, निम्नलिखित उप-नियम प्रतिस्थापित किये जाएंगे, अर्थात्:—
- "(2) संकर्म संविदा अथवा जॉब वर्क के निष्पादन से उत्पन्न आवर्त के मामले में, कराधेय आवर्त में शामिल की गई राशि संविदा के अधीन व्यवहारी को भुगतान किया गया अथवा भुगतान योग्य कुल प्रतिफल है तथा इसमें से निम्नलिखित निकाले गये हैं;
- (i) श्रम, सेवाओं की ओर प्रभार तथा ऐसे ही अन्य प्रभार; तथा
- (ii) सरकार अथवा इसकी एजेंसी को भूमि की लागत की ओर प्रभार, भूमि से सम्बन्धित अन्य प्रभार (यदि कोई हो) का भुगतान;
- "इसके अध्यक्षीन कि व्यवहारी उचित अभिलेख जैसा कि बीजक बाऊचर, चालान अथवा कराधायक प्राधिकारी की संतुष्टि हेतु उक्त निर्दिष्ट प्रभार के भुगतान का सबूत देने वाला कोई अन्य दस्तावेज रखता है";
- (3) उप-नियम (2) के, खण्ड (i) के प्रयोजन हेतु श्रम, सेवाओं और अन्य समान प्रभारों की ओर प्रभारों में निम्नलिखित शामिल होंगे:—
- (i) कार्यो के निष्पादन हेतु श्रम प्रभार;
- (ii) योजना और वास्तुशिल्पियों की फीस के लिए प्रभार;
- (iii) संकर्म संविदा, जिसमें संकर्म संविदा के निष्पादन के सिलसिले में, माल में सम्पत्ति अन्तर्गत नहीं की जाती है के निष्पादन में प्रयुक्त उपयोग में आने वाले जैसे कि जल, विद्युत, ईंधन इत्यादि की लागत;
- (iv) उस सीमा तक जहां तक श्रम और सेवाओं की पूर्ति करने से सम्बन्धित है, संविदाकार की स्थापना की लागत;
- (v) श्रम और सेवाओं की पूर्ति से सम्बन्धित अन्य समान खर्च;
- (vi) कार्य स्थल के लाभ तथा हानि के खाते प्रस्तुत करने के अध्यक्षीन श्रम और सेवाओं की पूर्ति उस सीमा तक ये संविदाकार द्वारा अर्जित किए गए लाभ से सम्बन्धित हैं:
- परन्तु जहां श्रम, सेवाओं के प्रभार की राशि तथा अन्य दूसरे प्रभार व्यवहारी की लेखा पुस्तकों से निश्चय नहीं होते या व्यवहारी ऐसे प्रभारों के समर्थन में दस्तावेजी साक्ष्य प्रस्तुत करने में असफल रहता है, तो ऐसे प्रभारों की राशि नीचे दी गई तालिका में विनिर्दिष्ट मूल्यवान प्रतिफल की प्रतिशतता पर संगणित की जाएगी:—

तालिका
संकर्म संविदा या जॉब वर्क के लिए प्रतिशतता

क्रम संख्या	संविदा के प्रकार	श्रम, सेवा तथा वैसे ही अन्य प्रभार जैसे कि मूल्यवान प्रतिफल की प्रतिशतता
1	2	3
1.	प्लांट तथा मशीनरी के निर्माण तथा स्थापना	पच्चीस प्रतिशत
2.	आयरन ट्रयसिस, पूरलियोनस तथा उसी प्रकार की पूर्ति तथा निर्माण सहित लोहे तथा स्टील संकर्म संरचना का निर्माण तथा पुनः निर्माण	पन्द्रह प्रतिशत
3.	भारी वस्तुओं को हटाने तथा उठाने वाले यन्त्र का निर्माण तथा स्थापना	पन्द्रह प्रतिशत
4.	वस्तुओं को ऊपर उठाने (लिफ्ट) तथा नीचे लाने वाले यन्त्र (चलती सीढ़ी) का निर्माण तथा स्थापना	पन्द्रह प्रतिशत
5.	एक तरफ मुड़ने और सुकुड़ने वाले दरवाजों का निर्माण तथा स्थापना	पन्द्रह प्रतिशत
6.	सिविल संकर्म जैसे कि भवनों, पुलों, सड़कों, बान्धों, बराजों, नहरों और नालों के निर्माण	पच्चीस प्रतिशत *
7.	दरवाजों, चौखटें, खिड़कियों, फ्रेम तथा ग्रील की स्थापना	पन्द्रह प्रतिशत
8.	टाईल्स, स्लेब, पत्थर तथा शीटों की पूर्ति करना	बीस प्रतिशत
9.	एयर कन्डिशन तथा एयर कूलर की पूर्ति तथा स्थापना	पन्द्रह प्रतिशत
10.	वातानुकूलक यन्त्र जिसमें डीप फ्रीजर, कोल्ड स्टोरेज प्लांट ह्यूमीडिफिकेशन प्लांट तथा डि-ह्यूमीडरस सम्मिलित हों, की पूर्ति तथा स्थापना	पन्द्रह प्रतिशत
11.	बिजली के सामान, आपूर्ति और फिटिंग, ट्रांसफार्मर सहित बिजली के उपकरणों की आपूर्ति तथा स्थापना	पन्द्रह प्रतिशत
12.	आन्तरिक सजावट और झूठी सिलिंग के लिए ठेके सहित फर्नीचर और फिक्चर, पार्टीशनज की आपूर्ति तथा फिक्सिंग	पन्द्रह प्रतिशत

13.	रेलवे द्वारा आपूर्ति किए गए वाहनों के अधीन रेल कोच और वैगनों का विनिर्माण तथा निर्माण	बीस प्रतिशत
14.	मोटर वाहन की बाडीज तथा ट्रेलरों का निर्माण या तैयार करना	बीस प्रतिशत
15.	नलसाजी और जल निकासी या सीवरेज के लिए सेनेटरी फिटिंग	तीस प्रतिशत
16.	भूमिगत सतह पर पाईप लाईन, केवल या जल प्रणाली डालना	तीस प्रतिशत
17.	वस्त्रों की डाईंग और छपाई	तीस प्रतिशत
18.	भार तोलक यन्त्रों तथा तुला चौकी की आपूर्ति तथा निर्माण	पन्द्रह प्रतिशत
19.	रंगसाजी, पॉलिश करना तथा सफेदी करना	तीस प्रतिशत
20.	टायर को फिर से चलाने योग्य बनाना	चालीस प्रतिशत
21.	फोटोग्राफी और मुद्रण संविदाएं	तीस प्रतिशत
22.	इलेक्ट्रोप्लेटिंग, इलेक्ट्रो गालवेनाइजिंग और एनोडाइजिंग तथा उसी प्रकार के	चालीस प्रतिशत
23.	सभी अन्य संविदाएं जो उपरोक्त क्रम संख्या 1 से 22 में विनिर्दिष्ट नहीं हैं।	बीस प्रतिशत

* क्रम संख्या 6 पर वर्णित संविदा कार्य के मामले में जहां भूमि को दूसरी सम्पत्ति के साथ माल के रूप में भी हस्तांतरित किया जाता है, इस नियम के अधीन यथा अवधारित हस्तांतरित भूमि की लागत को छोड़कर पच्चीस प्रतिशत की कटौती अनुमत की जाएगी:

परन्तु यह और कि जहां व्यवहारी श्रम, सेवाओं तथा अन्य उसी प्रकार के प्रभारों के मददें कटौती के दावे उक्त तालिका में विनिर्दिष्ट मूल्यवान प्रतिफल की प्रतिशतता से अधिक प्रभार लगाने के लिए निर्धारण प्राधिकारी, दावों का निरीक्षण करने के बाद व्यवहारी का दावा अनुमत करेगा और व्यवहारी का दावा स्वीकृति करने के लिए कारणों को अभिलिखित करेगा।

(4) यदि उप-नियम (2) में वर्णित संविदा संकर्म ऐसी स्वरूप का है जिसमें भू-स्वामी तथा संविदाकार के बीच निष्पादित करार या समरूप अन्य करार (करारों)/समझौता (समझौतों) सहयोग या संयुक्त विकास के स्वरूप के हैं जहां संविदाकार भवन/इकाई का निर्माण करता है तथा निर्माण के लिए प्रतिफल अतिरिक्त धन विनिमय सहित या के बिना भूमि में हिस्से के रूप में भू-स्वामी द्वारा दिया गया है, तो भू-स्वामी के लिए संविदाकार (संविदाकारों) द्वारा किए गए संविदा कार्य का मूल्य निम्नलिखित राशियों का उच्चतम होगा;

- निर्माण का वास्तविक मूल्य, जिसमें संविदाकार द्वारा अनुरक्षित लेखा-पुस्तकों के अनुसार भू-स्वामी को संविदाकार द्वारा अन्तरित लाभ शामिल है।
- जहां संविदाकार को भू-स्वामी द्वारा आनुपातिक भूमि किसी पृथक हस्तान्तरण/विक्रय विलेख, निष्पादित करते हुए अन्तरित की गई है, स्टाम्प ड्यूटी की अदायगी के प्रयोजन के लिए भुगतान के किसी ढंग के माध्यम से भूस्वामी को संविदाकार द्वारा भुगतान से किये गये प्रतिफल से कम की गई है।
- संविदाकार को भू-स्वामी द्वारा अन्तरित भूमि के आनुपातिक क्षेत्र की मण्डल दर के आधार पर उनके बीच करार के निष्पादन के समय पर अभिभावी दर जो भुगतान के किसी ढंग के माध्यम से भू-स्वामी को संविदाकार द्वारा भुगतान से किए गए प्रतिफल से कम की गई है:

परन्तु जहां भूमि तथा निर्माण के लिए पृथक मण्डल दरें कतिपय भवनों या सम्पत्तियों के सम्बन्ध में अधिसूचित नहीं की गई है, तो अन्य भवनों या सम्पत्तियों जिसके सम्बन्ध में पृथक मण्डल दरें अधिसूचित की गई है, के लिए उस क्षेत्र में अभिभावी भूमि तथा निर्माण के लिए मण्डल दर, इस उप नियम के अधीन मूल्य के अवधारण के प्रयोजन के लिए विचार में ली जाएगी:

परन्तु यह और कि इस उप-नियम के अधीन संकर्म संविदा का मूल्य तिथि जिसको सम्पत्ति के निर्माण के लिए भू-स्वामी तथा संविदाकार के बीच करार निष्पादित किया गया था, को लागू निर्माण की मण्डल दर से कम नहीं होगा।

व्याख्या :-आशयित क्रेता के लिए उस द्वारा किए गए कार्यकलाप के लिए निर्माण के संविदाकार के हिस्से के सम्बन्ध में कराधेय आवर्त इस नियम के उपबन्धों के अनुसार पृथक रूप से संगणित किया जाएगा।

(5) उप-नियम (2) के खण्ड (ii) के प्रयोजन के लिए, आशयित क्रेता के लिए विकासक द्वारा किए गए संविदा कार्य में भूमि की लागत निम्नलिखित रीति में उच्चतम होगी:-

- जहां पृथक भूमि का हस्तांतरण/विक्रय विलेख विकासक तथा आशयित क्रेता के बीच निष्पादित किया गया है, तो उस विलेख में बताई गई भूमि की प्रतिफल राशि; अथवा

- (ii) जहां पृथक् भूमि का हस्तांतरण/विक्रय विलेख विद्यमान तथा आशयित क्रेता के बीच भूमि के अन्तरण के लिए निष्पादित नहीं किया गया है तथा भूमि का अन्तरण निर्माण इकाई के हस्तांतरण विलेख में वर्णित किया गया है, तो संयुक्त संविदा कार्य के मूल्य में भूमि का मूल्य विकासक तथा आशयित क्रेता के बीच करार के निष्पादन के समय पर अभिभावी भूमि की अधिसूचित सर्कल दरों के आधार पर अवधारित किया जाएगा :

परन्तु जहां भूमि तथा निर्माण के लिए पृथक् मण्डल दरें कतिपय सम्पत्तियों के सम्बन्ध में अधिसूचित नहीं की गई हैं, तो अन्य सम्पत्तियों जिनके सम्बन्ध में पृथक् मण्डल पर अधिसूचित की गई हैं, के लिए उस क्षेत्र में अभिभावी भूमि तथा निर्माण के लिए मण्डल दर इस उप-नियम के अधीन मूल्य के अवधारण के प्रयोजन के लिए ली जाएगी :

परन्तु यह और कि जहां भूमि मण्डल दर पर मूल्यांकित की गई है तथा आशयित क्रेता सहित निर्मित इकाई (इकाईयों) के हस्तांतरण/विक्रय विलेख का मूल्य मण्डल दर से अधिक है, तो दोनों के बीच अन्तर को भूमि तथा संकर्म संविदा (सामग्री तथा सेवा को मिलाकर) के मूल्य के बीच आनुपातिक रूप से विभक्त किया जाएगा।

उदाहरण के लिए, संयुक्त संविदा कार्य की दशा में, भूमि की मण्डल दर दो करोड़ रुपए है तथा निर्माण की मण्डल दर एक करोड़ रुपए है तथा विक्रय विलेख का समेकित मूल्य (जिसमें भूमि तथा निर्माण की लागत शामिल हैं) 3.60 करोड़ रुपए है। 0.60 करोड़ रुपए के अन्तर को 2:1 के अनुपात में विभक्त किया जाएगा तथा इस प्रकार, इस उप-नियम के प्रयोजन के लिए भूमि का मूल्य 2.40 करोड़ रुपए होगा।

व्याख्या (क) : इस उप-नियम के प्रयोजन के लिए "आशयित क्रेता" शब्द का अभिप्रायः उस व्यक्ति से है जो निर्माण के समापन से पूर्व सम्पत्ति खरीदने के लिए करार करता है तथा ऐसे समापन से पूर्व सम्पूर्ण या भाग में प्रतिफल का भुगतान करता है।

(ख) : इस उप-नियम के प्रयोजन के लिए, निर्माण सक्षम प्राधिकारी द्वारा समापन प्रमाण-पत्र को जारी करने के समय पर, या इस प्रयोजन के लिए राज्य सरकार द्वारा अधिसूचित समय पर या रीति में पूरा किया गया समझा जाएगा।

- (iii) संकर्म संविदा के मामले में जहां भूमि की लागत की ओर प्रभारों का भुगतान इस उप-नियम के पूर्ववर्ती खण्डों के अनुसार निश्चेय नहीं है, तो ऐसे प्रभारों की राशि संविदा के कुल मूल्य के 25 प्रतिशत की दर से संगणित की जाएगी, वाणिज्यिक भवनों/संव्यूहों (काम्प्लेक्स) के निर्माण के मामलों को छोड़कर जहां यह संविदा के कुल मूल्य की 40 प्रतिशत की दर से संगणित की जाएगी; अथवा
- (iv) संकर्म संविदा की दशा में जहां निर्मित किए जाने वाले कुल क्षेत्र का केवल एक भाग अन्तरित किया जा रहा है, तो भूमि की लागत की ओर प्रभारों में निम्नलिखित फारमूले के द्वारा यथानुपात आधार पर संगणित की जाएगी:

इस उपनियम में यथा अवधारित भूमि के मूल्य द्वारा गुणा करते हुए अनुपातिक सुपर क्षेत्र, फर्शक्षेत्र अनुपात द्वारा गुणा करते हुए कुल प्लॉट क्षेत्र से विभक्त करके।

व्याख्याएं :

(क) इस खण्ड के प्रयोजन के लिए अनुपातिक सुपर क्षेत्र से अभिप्रायः है अन्तरण के लिए बुक किया गया आच्छादित क्षेत्र तथा निर्मित किया जाने वाला अनुपातिक सामूहिक क्षेत्र इस पर निर्भर होगा।

(ख) फर्श क्षेत्र अनुपात = कुल प्लॉट क्षेत्र से विभक्त कुल निर्मित क्षेत्र।

- (6) संकर्म संविदा की दशा में जहां कुल निर्मित क्षेत्र का केवल एक भाग अन्तरित किया जा रहा है, तो उप-नियम (3) में वर्णित श्रम, सेवा तथा उसी प्रकार के अन्य प्रभारों की ओर कटौती तथा उक्त अधिनियम की धारा 8 के अधीन जमा निवेश कर यथानुपात आधार पर संगणित किया जाएगा।
- (7) (i) जहां करार प्रारम्भ के बाद आशयित क्रेता के साथ विकासक द्वारा निष्पादित किया गया है किन्तु निर्माण के समापन से पूर्व विक्रय का कराधेय आवर्त करार का कुल मूल्य होगा, जिसे भूमि की लागत तथा इस नियम के अनुसार अवधारित श्रम, सेवा तथा सदृश प्रभारों को यथानुपात राशि द्वारा घटाया जाएगा।
- (ii) कर उपरोक्त (i) के सम्बन्ध में आशयित क्रेता से प्राप्य या वास्तविक रूप से प्राप्त की गई राशि, जो भी पहले हो, के समय पर चाहे किसी रूप या रीति में हो, भुगतानयोग्य होगा।
- (iii) विकासक, कर अवधि में जब उत्पाद न आऊटपुट कर भुगतानयोग्य होता है, उपरोक्त (i) के सम्बन्ध में श्रम, सेवा उसी प्रकार अन्य प्रभार काटने के लिए पात्र होगा।

रोशन लाल,
अपर मुख्य सचिव, हरियाणा सरकार,
आबकारी व कराधान विभाग।

[Authorised English Translation]

HARYANA GOVERNMENT
EXCISE AND TAXATION DEPARTMENT

Notification

The 23rd July, 2015

No.19/ST-1/H.A.6/2003/S.60/2015.—Whereas, the State Government is satisfied that circumstances exist which render it necessary to take immediate action in public interest;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of Section 60 read with the proviso to said Sub-section of the Haryana Value Added Tax Act, 2003 (6 of 2003), the Governor of Haryana hereby makes the following rules further to amend the Haryana Value Added Tax Rules, 2003 by dispensing with the condition of previous notice, namely:-

1. (1) These rules may be called the Haryana Value Added Tax (Amendment) Rules, 2015.
- (2) These rules shall be deemed to have come into force with effect from 17th May, 2010.
2. In the Haryana Value Added Tax Rules, 2003, in rule 25;-
 - (a) for sub-rule (2), the following sub-rules shall be substituted, namely:-

“(2) In case of turnover arising from the execution of a works contract or job work, the amount included in taxable turnover is the total consideration paid or payable to the dealer under the contract and shall exclude –

 - (i) the charges towards labour, services and other like charges; and
 - (ii) the charges towards cost of land, other charges relatable to land, if any, paid to the Government or its agency, subject to the dealer maintaining proper records such as invoice, voucher, challan or any other document evidencing payment of above referred charges to the satisfaction of the Taxing Authority.”;
 - (3) For the purpose of clause (i) of sub-rule (2), the charges towards labour, services and other like charges shall include:-
 - (i) labour charges for execution of works;
 - (ii) charges for planning and architect's fees;
 - (iii) cost of consumables such as water, electricity, fuel etc. used in the execution of the works contract in which the property in goods is not transferred in the course of execution of the works contract;
 - (iv) cost of establishment of the contractor to the extent it is relatable to supply of labour and services;
 - (v) other similar expenses relatable to supply of labour and services;
 - (vi) profit earned by the contractor to the extent it is relatable to supply of labour and services subject to furnishing of a profit and loss account of the works sites:

Provided that where the amount of charges towards labour, services and other like charges are not ascertainable from the books of accounts of the dealer or the dealer fails to produce documentary evidence in support of such charges, the amount of such charges shall be calculated at the percentages of valuable consideration specified in the Table given below:-

TABLE
PERCENTAGES FOR WORKS CONTRACTS OR JOB WORKS

Serial Number	Type of Contract	Labour, service and other like charges as percentage of valuable consideration
1	Fabrication and installation of plant and machinery.	Twenty five percent
2	Fabrication and erection of structural works of iron and steel including fabrication, supply and erection of iron trusses, purloins and the like.	Fifteen percent
3	Fabrication and installation of cranes and hoists.	Fifteen percent

4	Fabrication and installation of elevators (lifts) and escalators.	Fifteen percent
5	Fabrication and installation of rolling shutters and collapsible gates.	Fifteen percent
6	Civil works like construction of buildings, bridges, roads, dams, barrages, canals and diversions.	Twenty five percent*
7	Installation of doors, doorframes, windows, frames and grills.	Fifteen percent
8	Supply and fixing of tiles, slabs, stones and sheets.	Twenty percent
9	Supply and installation of air conditioners and air coolers.	Fifteen percent
10	Supply and installation of air conditioning equipment including deep freezers, cold storage plants, humidification plants and de-humidors.	Fifteen percent
11	Supply and fitting of electrical goods, supply and installation of electrical equipments including transformers.	Fifteen percent
12	Supply and fixing of furniture and fixtures, partitions including contracts for interior decoration and false ceiling.	Fifteen percent
13	Manufacturing/fabrication of Railway coaches and wagons on under carriages supplied by Railway.	Twenty percent
14	Fabrication or mounting of bodies of motor vehicle and trailers.	Twenty percent
15	Sanitary fitting for plumbing and drainage or sewerage.	Thirty percent
16	Laying underground surface pipelines, cables or conduits.	Thirty percent
17	Dyeing and printing of textiles.	Thirty percent
18	Supply and erection of weighing machines and weighbridges.	Fifteen percent
19	Painting, polishing and white washing.	Thirty percent
20	Tyre retreading	Forty percent
21	Photography and Printing Contracts	Thirty percent
22	Electroplating, Electro Galvanizing and Anodizing and the like	Forty percent
23	All other contracts not specified from serial number 1 to 22 above.	Twenty percent

- * In case of the works contract mentioned at serial number 6 where land is also transferred alongwith other property in goods, the deduction of twenty five percent shall be allowed after excluding the cost of transferred land as determined under this rule:

Provided further that where the dealer claims deduction on account of labour, services and other like charges exceeding the percentages of valuable consideration specified in the above Table, the assessing authority, after examining the claims, may allow the claim of the dealer and shall record reasons in writing for accepting the claim of the dealer.

- (4) In case the works contract mentioned in sub-rule (2) is of the nature wherein the agreement executed between the land owner and the contractor or similar other agreement is of the nature of collaboration or joint development where the contractor constructs the building/units, and consideration for the construction is given by the land owner in the form of share in the land with or without additional money exchange, the value of works contract carried out by the contractor for the land owner shall be the highest of the following amounts,-
- (i) Actual value of construction, including profit, transferred by the contractor to the land-owner in accordance with the books of accounts maintained by the contractor.

- (ii) Where proportionate land is transferred by the land-owner to the contractor by executing a separate conveyance/sale deed, the value stated in the deed for the purpose of payment of stamp duty as reduced by consideration paid by the contractor to the land owner through any mode of payment.
- (iii) On the basis of circle rate of proportionate area of land transferred by the land-owner to the contractor prevailing at the time of execution of agreement between them, as reduced by the consideration paid by contractor to the land-owner through any mode of payment:

Provided that where separate circle rates for land and construction have not been notified in respect of certain buildings or properties, then circle rate for land and construction prevailing in that locality for other buildings or properties, in respect of which separate circle rates have been notified, shall be taken into consideration for the purpose of determination of value under this sub-rule:

Provided further that the value of works contract under this sub-rule shall not be less than the circle rate of construction applicable on the date on which agreement between the land-owner and the contractor for the construction of property was executed.

Explanation.- The taxable turnover in relation to contractor's share of construction for activity carried on by him for the intended purchaser shall be calculated separately as per provisions of this rule.

- (5) For the purpose of clause (ii) of sub-rule (2), the cost of land in a works contract carried on by the developer for the intended purchaser shall be the highest of following:-
 - (i) Where separate conveyance/sale deed of the land has been executed between the developer and the intended purchaser, the consideration amount of land stated in that deed; or
 - (ii) Where separate conveyance/sale deed of the land has not been executed for transfer of land between the developer and the intended purchaser and transfer of land is mentioned in the conveyance deed of the constructed unit, then the value of land in the value of composite works contract shall be determined on the basis of notified circle rates of land prevailing at the time of execution of agreement between the developer and the intended purchaser:

Provided that where separate circle rates for land and construction have not been notified in respect of certain properties, then circle rate for land and construction prevailing in that locality for other properties in respect of which separate circle rates have been notified, shall be taken for the purpose of determination of value under this sub-rule:

Provided further that where land has been valued at circle rate and the value of conveyance/sale deed of the constructed unit with the intended purchaser exceeds the circle rate, then the difference between the two shall be proportionately divided between the value of land and the works contract (comprising material and services).

For example, in case of composite works contract, circle rate of land is ` 2 crore and circle rate of construction is ` 1 crore, and the consolidated value of sale deed (inclusive of land and cost of construction) is ` 3.60 crore. Difference of ` 0.60 crore shall be divided in the ratio of 2:1; and thus, value of land for the purpose of this sub-rule shall be ` 2.40 crore.

Explanation:- (a) The term "intended purchaser" for the purpose of this sub-rule means the person who agrees to buy the property before completion of construction and pays the consideration, in full or part, before such completion.

(b) For the purpose of this sub-rule, construction shall be deemed to be complete at the time of issuance of completion certificate by the competent authority, or at the time and in the manner notified by the State Government for this purpose;

- (iii) in the case of works contract where the payment of charges towards the cost of land is not ascertainable in accordance with the preceding clauses of this sub-rule, the amount of such charges shall be calculated @ 25% of the total value of the contract, except in the case of construction of commercial buildings/complexes where it shall be calculated @ 40% of the total value of the contract; or

- (iv) in the case of works contract, where only a part of the total area to be constructed is being transferred, the charges towards the cost of land shall be calculated on a pro-rata basis through the following formula.

**Proportionate super area multiplied by Value of land as
determined in this sub-rule
divided by
Total plot area multiplied by Floor Area Ratio**

Explanations:

- (a) Proportionate super area for the purpose of this clause means the covered area booked for transfer and the proportionate common area to be constructed, attributable to it.
- (b) Floor Area Ratio = Total constructed area divided by Total Plot Area.
- (6) In the case of works contract where only a part of total constructed area is being transferred, the deduction towards labour, services and other like charges mentioned in sub-rule (3) and input tax credit under section 8 of the Act shall be calculated on a pro-rata basis.
- (7) (i) Where an agreement is executed by the developer with the intended purchaser after commencement but before completion of construction, the taxable turnover of sale shall be the total value of agreement, as reduced by cost of land and pro-rata amount of labour, services and like charges, determined in accordance with this rule.
- (ii) Tax shall be payable at the time of an amount receivable or actually received, whichever is earlier, in whatever form or manner, from the intended purchaser in relation to (i) above.
- (iii) The developer shall be eligible to deduct labour, services, other like charges in relation to (i) above in the tax period when output tax becomes payable.”.

ROSHAN LAL,
Additional Chief Secretary to Government Haryana,
Excise and Taxation Department.

हरियाणा सरकार
लोक निर्माण विभाग
(भवन तथा सड़कें शाखा)
अधिसूचना
दिनांक 23 जुलाई, 2015

संख्या 9/106/2001-3 बी0 एण्ड आर0 (डब्ल्यू).— हरियाणा यांत्रिक यान (पथकर उदग्रहण) अधिनियम, 1996 (1996 का अधिनियम 9), की धारा 2 के खण्ड (च) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, हरियाणा के राज्यपाल, इसके द्वारा, हरियाणा सरकार, लोक निर्माण विभाग (भवन तथा सड़कें शाखा), अधिसूचना संख्या: 9/106/2001- 3 बी0 एण्ड आर0 (डब्ल्यू) दिनांक 11 अगस्त, 2010, संख्या: 9/106/2001- 3 बी0 एण्ड आर0 (डब्ल्यू) दिनांक 04 अक्टूबर, 2010, संख्या: 9/106/2001- 3 बी0 एण्ड आर0 (डब्ल्यू) दिनांक 21 फरवरी, 2011, संख्या: (9/106/2001- 3 बी0 एण्ड आर0 (डब्ल्यू) दिनांक 12 अक्टूबर, 2011 और संख्या: 9/106/2001- 3 बी0 एण्ड आर0 (डब्ल्यू) दिनांक 18 जनवरी, 2012, संख्या: 9/106/2001- 3 बी0 एण्ड आर0 (डब्ल्यू) दिनांक 24 अगस्त, 2012, संख्या: 9/106/ 2001- 3 बी0 एण्ड आर0 (डब्ल्यू) दिनांक 22 मई, 2014, संख्या: 9/106/2001- 3 बी0 एण्ड आर0 (डब्ल्यू) दिनांक 11 मार्च, 2015, तथा संख्या: 9/106/2001- 3 बी0 एण्ड आर0 (डब्ल्यू) दिनांक 11 मार्च, 2015 में, निम्नलिखित संशोधन करते हैं, अर्थात्:—

संशोधन

हरियाणा सरकार, लोक निर्माण विभाग (भवन तथा सड़कें शाखा) अधिसूचना संख्या: 9/106/2001- 3 बी0 एण्ड आर0 (डब्ल्यू) दिनांक 11 अगस्त, 2010, संख्या: 9/106/2001- 3 बी0 एण्ड आर0 (डब्ल्यू) दिनांक 04 अक्टूबर, 2010,

संख्या: 9/106/2001- 3 बी0 एण्ड आर0 (डब्ल्यू) दिनांक 21 फरवरी, 2011, संख्या:— (9/106/2001- 3 बी0 एण्ड आर0 (डब्ल्यू) दिनांक 12 अक्टूबर, 2011, संख्या: 9/106/2001- 3 बी0 एण्ड आर0 (डब्ल्यू) दिनांक 18 जनवरी, 2012, संख्या: 9/106/2001- 3 बी0 एण्ड आर0 (डब्ल्यू) दिनांक 24 अगस्त, 2012, संख्या: 9/106/ 2001- 3 बी0 एण्ड आर0 (डब्ल्यू) दिनांक 22 मई, 2014, संख्या: 9/106/2001- 3 बी0 एण्ड आर0 (डब्ल्यू) दिनांक 11 मार्च, 2015, तथा संख्या: 9/106/2001- 3 बी0 एण्ड आर0 (डब्ल्यू) दिनांक 11 मार्च, 2015 अनुसूची में, टिप्पणी के बाद, प्रथम पैरा में, "हरियाणा राज्य सड़क तथा सेतु विकास निगम लिमिटेड", शब्दों के स्थान पर, "हरियाणा सरकार, लोक निर्माण विभाग (भवन तथा सड़कें शाखा)", शब्द प्रतिस्थापित किये जाएंगे।

हरदीप कुमार,
अपर मुख्य सचिव, हरियाणा सरकार,
लोक निर्माण विभाग (भवन तथा सड़कें शाखा)।

HARYANA GOVERNMENT
PUBLIC WORKS DEPARTMENT
(BUILDINGS AND ROADS BRANCH)

Notification

The 23rd July, 2015

No. 9/106/2001-3B&R(W).— In exercise of the powers conferred by clause (f) of Section 2 of the Haryana Mechanical Vehicles (Levy of Tolls) Act, 1996 (9 of 1996), the Governor of Haryana hereby makes the following amendment in the Haryana Government, Public Works Department (Buildings and Roads Branch) notifications No. 9/106/2001-3 B&R (W), dated the 11 August 2010, No. 9/106/2001-3 B&R (W), dated the 04 October 2010, No. 9/106/2001-3 B&R (W), dated the 21 February 2011, 9/106/2001-3 B&R (W), dated the 12 October 2011, No. 9/106/2001-3 B&R (W), dated the 18 January 2012, No. 9/106/2001-3 B&R (W), dated the 24 August 2012, No. 9/106/2001-3 B&R (W), dated the 22 May 2014, No. 9/106/2001-3 B&R (W), dated the 11 March 2015 and No. 9/106/2001-3 B&R (W), dated the 11 March 2015, namely:-

Amendment

In the Haryana Government, Public Works Department (Buildings and Roads Branch) notifications No. 9/106/2001-3 B&R (W), dated the 11 August 2010, No. 9/106/2001-3 B&R (W), dated the 04 October 2010, No. 9/106/2001-3 B&R (W), dated the 21 February 2011, 9/106/2001-3 B&R (W), dated the 12 October 2011, No. 9/106/2001-3 B&R (W), dated the 18 January 2012, No. 9/106/2001-3 B&R (W), dated the 24 August 2012, No. 9/106/2001-3 B&R (W), dated the 22 May 2014, No. 9/106/2001-3 B&R (W), dated the 11 March 2015, No. 9/106/2001-3 B&R (W), dated the 11 March 2015, after the note, in the first para, for the words "Haryana State Roads and Bridges Development Corporation Limited", the words "Haryana Public Works Department (Buildings and Roads Branch)" shall be substituted.

HARDEEP KUMAR,
Additional Chief Secretary to Government Haryana,
Public Works Department (Building and Roads Branch).

हरियाणा सरकार

उद्योग तथा वाणिज्य विभाग

अधिसूचना

दिनांक: 23 जुलाई, 2015

संख्या 20/01/2014-3आई0बी0- I.— भारत के संविधान के अनुच्छेद 309 के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, हरियाणा के राज्यपाल, इसके द्वारा, हरियाणा उद्योग तथा वाणिज्य विभाग मुख्यालय संवर्ग (ग्रुप ग) सेवा नियम, 2014, को आगे संशोधित करने के लिए निम्नलिखित नियम बनाते हैं, अर्थात् :-

- ये नियम हरियाणा उद्योग तथा वाणिज्य विभाग मुख्यालय संवर्ग (ग्रुप ग) सेवा (संशोधन) नियम, 2014, कहे जा सकते हैं।
- हरियाणा उद्योग तथा वाणिज्य विभाग मुख्यालय संवर्ग (ग्रुप ग) सेवा नियम, 2014 में, परिशिष्ट ख में, खाना 1, 2, 3 तथा 4 के नीचे, क्रम संख्या 11 तथा उसके सामने प्रविष्टियों के स्थान पर, निम्नलिखित क्रम संख्या तथा उसके सामने प्रविष्टियां प्रतिस्थापित की जाएंगी, अर्थात् :-

1	2	3	4
"11	चालक	<ul style="list-style-type: none"> (i) मैट्रिक; (ii) कम से कम तीन वर्ष पुरानी वैध हल्का परिवहन वाहन चालन अनुज्ञप्ति होनी चाहिए; (iii) हरियाणा कर्मचारी चयन आयोग द्वारा आयोजित चालन परीक्षा पास होनी चाहिए; (iv) वर्णान्ध नहीं होना चाहिए; (v) मैट्रिक स्तर तक या उच्चतर शिक्षा में हिन्दी/संस्कृत। 	<p>पदोन्नति द्वारा :-</p> <ul style="list-style-type: none"> (i) मैट्रिक; (ii) ग्रुप घ कर्मचारी के रूप में तीन वर्ष का अनुभव; (iii) कम से कम तीन वर्ष पुरानी वैध हल्का परिवहन वाहन चालन अनुज्ञप्ति होनी चाहिए; (iv) विभाग द्वारा आयोजित चालन परीक्षा पास होनी चाहिए; (v) वर्णान्ध नहीं होना चाहिए; (vi) मैट्रिक स्तर तक या उच्चतर शिक्षा में हिन्दी/संस्कृत; (vii) पचास वर्ष से अधिक की आयु का नहीं होना चाहिए; <p>स्थानान्तरण/ प्रतिनियुक्ति द्वारा :-</p> <ul style="list-style-type: none"> (i) मैट्रिक; (ii) कम से कम तीन वर्ष पुरानी वैध हल्का परिवहन वाहन चालन अनुज्ञप्ति होनी चाहिए; (iii) हल्का परिवहन वाहन चालन के रूप में तीन वर्ष का अनुभव; (iv) वर्णान्ध नहीं होना चाहिए; (v) मैट्रिक स्तर तक या उच्चतर शिक्षा में हिन्दी/संस्कृत; (vi) यदि चालक के पद पर पहले से कार्यरत नहीं है, तो पचास वर्ष से अधिक की आयु का नहीं होना चाहिए।"

देवेन्द्र सिंह,
प्रधान सचिव, हरियाणा सरकार,
उद्योग तथा वाणिज्य विभाग।

HARYANA GOVERNMENT
INDUSTRIES AND COMMERCE DEPARTMENT

Notification

The 23rd July, 2015

No. 20/01/2014-3IB-I.—In exercise of the powers conferred by the proviso to article 309 of the Constitution of India, the Governor of Haryana hereby makes the following rules further to amend the Haryana Industries and Commerce, Headquarter Cadre (Group C) Service Rules, 2014 namely:-

1. These rules may be called the Haryana Industries and Commerce Headquarter Cadre (Group C) Service (Amendment) Rules, 2015.

2. In the Haryana Industries and Commerce Headquarter Cadre (Group C) Service Rules, 2014, in Appendix B, under columns 1, 2, 3 and 4, for serial No. 11 and entries thereagainst, the following serial number and entries thereagainst shall be substituted, namely:-

“11	Driver	<p>(i) Matric;</p> <p>(ii) Should have a light transport vehicle valid driving licence at least three years old;</p> <p>(iii) should have passed the driving test conducted by the Haryana Staff Selection Commission;</p> <p>(iv) should not be colour blind;</p> <p>(v) Hindi/Sanskrit upto Matric standard or higher education;</p>	<p>By promotion</p> <p>(i) Matric;</p> <p>(ii) three years experience as Group D employee;</p> <p>(iii) should have a light transport vehicle valid driving licence at least three years old;</p> <p>(iv) should have passed the driving test conducted by the department;</p> <p>(v) should not be colour blind;</p> <p>(vi) Hindi/Sanskrit upto Matric standard or higher education;</p> <p>(vii) should not be more than fifty years of age;</p> <p>By transfer/deputation:-</p> <p>(i) Matric;</p> <p>(ii) Should have a light transport vehicle valid driving licence at least three years old;</p> <p>(iii) three years experience of driving light transport vehicle;</p> <p>(iv) should not be colour blind;</p> <p>(v) Hindi/Sanskrit upto Matric standard or higher education;</p> <p>(vi) if not already working on the post of driver then should not be more than fifty years of age.”</p>
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DEVENDER SINGH,
Principal Secretary to Government of Haryana,
Industries & Commerce Department.

हरियाणा सरकार

उद्योग तथा वाणिज्य विभाग

अधिसूचना

दिनांक 23 जुलाई, 2015

संख्या 20/01/2014-3आई0बी0- I.— भारत के संविधान के अनुच्छेद 309 के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, हरियाणा के राज्यपाल, इसके द्वारा, हरियाणा उद्योग तथा वाणिज्य विभाग क्षेत्रीय संवर्ग (ग्रुप ग) सेवा नियम, 2014, को आगे संशोधित करने के लिए निम्नलिखित नियम बनाते हैं, अर्थात्:—

1. ये नियम हरियाणा उद्योग तथा वाणिज्य विभाग क्षेत्रीय संवर्ग (ग्रुप ग) सेवा (संशोधन) नियम, 2015, कहे जा सकते हैं।
2. हरियाणा उद्योग तथा वाणिज्य विभाग क्षेत्रीय संवर्ग (ग्रुप ग) सेवा नियम, 2014 में, परिशिष्ट ख में, खाना 1, 2, 3 तथा 4 के नीचे, —
- (i) “क जिला उद्योग क्षेत्र” शीर्ष के नीचे, खाना 1, 2, 3 तथा 4 क्रम संख्या 8 तथा उसके सामने प्रविष्टियों के स्थान पर, निम्नलिखित क्रम संख्या तथा उसके सामने प्रविष्टियां प्रतिस्थापित की जाएंगी, अर्थात्:—

1	2	3	4
“8	चालक	(i) मैट्रिक; (ii) कम से कम तीन वर्ष पुरानी वैध हल्का परिवहन वाहन चालन अनुज्ञप्ति होनी चाहिए; (iii) हरियाणा कर्मचारी चयन आयोग द्वारा आयोजित चालन परीक्षा पास होनी चाहिए; (iv) वर्णान्ध नहीं होना चाहिए; (v) मैट्रिक स्तर तक या उच्चतर शिक्षा में हिन्दी/संस्कृत।	पदोन्नति द्वारा :— (i) मैट्रिक; (ii) ग्रुप घ कर्मचारी के रूप में तीन वर्ष का अनुभव; (iii) कम से कम तीन वर्ष पुरानी वैध हल्का परिवहन वाहन चालन अनुज्ञप्ति होनी चाहिए; (iv) विभाग द्वारा आयोजित चालन परीक्षा पास होनी चाहिए; (v) वर्णान्ध नहीं होना चाहिए; (vi) मैट्रिक स्तर तक या उच्चतर शिक्षा में हिन्दी/संस्कृत; (vii) पचास वर्ष से अधिक की आयु का नहीं होना चाहिए; स्थानान्तरण/प्रतिनियुक्ति द्वारा :— (i) मैट्रिक; (ii) कम से कम तीन वर्ष पुरानी वैध हल्का परिवहन वाहन चालन अनुज्ञप्ति होनी चाहिए; (iii) हल्का परिवहन वाहन चालन का तीन वर्ष का अनुभव; (iv) वर्णान्ध नहीं होना चाहिए; (v) मैट्रिक स्तर तक या उच्चतर शिक्षा में हिन्दी/संस्कृत; (vi) यदि चालक के पद पर पहले से कार्यरत नहीं है, तो पचास वर्ष से अधिक की आयु का नहीं होना चाहिए।”

- (ii) “ख राजकीय गुणांकन केन्द्र/उष्मा उपचार केन्द्र तथा औद्योगिक विकास केन्द्र के तकनीकी पद” शीर्ष के नीचे, खाना 1, 2, 3 तथा 4 क्रम संख्या 11 तथा उसके सामने प्रविष्टियों के स्थान पर, निम्नलिखित क्रम संख्या तथा उसके सामने प्रविष्टियां प्रतिस्थापित की जाएंगी, अर्थात्:—

1	2	3	4
“11	चालक	(i) मैट्रिक; (ii) कम से कम तीन वर्ष पुरानी वैध हल्का परिवहन वाहन चालन अनुज्ञप्ति होनी चाहिए; (iii) हरियाणा कर्मचारी चयन आयोग द्वारा आयोजित चालन परीक्षा	पदोन्नति द्वारा :— (i) मैट्रिक; (ii) ग्रुप घ कर्मचारी के रूप में तीन वर्ष का अनुभव; (iii) कम से कम तीन वर्ष पुरानी वैध हल्का परिवहन वाहन चालन अनुज्ञप्ति होनी चाहिए; (iv) विभाग द्वारा आयोजित चालन परीक्षा पास होनी चाहिए; (v) वर्णान्ध नहीं होना चाहिए;

		<p>(iv) पास होनी चाहिए; वर्णान्ध नहीं होना चाहिए; (v) मैट्रिक स्तर तक या उच्चतर शिक्षा में हिन्दी/संस्कृत।</p>	<p>(vi) मैट्रिक स्तर तक या उच्चतर शिक्षा में हिन्दी/संस्कृत; (vii) पचास वर्ष से अधिक की आयु का नहीं होना चाहिए;</p> <p>स्थानान्तरण/प्रतिनियुक्ति द्वारा :-</p> <p>(i) मैट्रिक; (ii) कम से कम तीन वर्ष पुरानी वैध हल्का परिवहन वाहन चालन अनुज्ञप्ति होनी चाहिए; (iii) हल्का परिवहन वाहन चालन का तीन वर्ष का अनुभव; (iv) वर्णान्ध नहीं होना चाहिए; (v) मैट्रिक स्तर तक या उच्चतर शिक्षा में हिन्दी/संस्कृत; (vi) यदि चालक के पद पर पहले से कार्यरत नहीं है, तो पचास वर्ष से अधिक की आयु का नहीं होना चाहिए।"; तथा</p>
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(iii) "ग बायलर निरीक्षकालय" शीर्ष के नीचे, खाना 1, 2, 3, तथा 4 के नीचे, क्रम संख्या 4 तथा उसके सामने प्रविष्टियों के स्थान पर, निम्नलिखित क्रम संख्या तथा उसके सामने प्रविष्टियां प्रतिस्थापित की जाएंगी, अर्थात् :-

1	2	3	4
"4"	चालक	<p>(i) मैट्रिक; (ii) कम से कम तीन वर्ष पुरानी वैध हल्का परिवहन वाहन चालन अनुज्ञप्ति होनी चाहिए; (iii) हरियाणा कर्मचारी चयन आयोग द्वारा आयोजित चालन परीक्षा पास होनी चाहिए; (iv) वर्णान्ध नहीं होना चाहिए; (v) मैट्रिक स्तर तक या उच्चतर शिक्षा में हिन्दी/संस्कृत।</p>	<p>स्थानान्तरण/ प्रतिनियुक्ति द्वारा :-</p> <p>(i) मैट्रिक; (ii) कम से कम तीन वर्ष पुरानी वैध हल्का परिवहन वाहन चालन अनुज्ञप्ति होनी चाहिए; (iii) हल्का परिवहन वाहन चालन का तीन वर्ष का अनुभव; (iv) वर्णान्ध नहीं होना चाहिए; (v) मैट्रिक स्तर तक या उच्चतर शिक्षा में हिन्दी/संस्कृत; (vi) यदि चालक के पद पर पहले से कार्यरत नहीं है, तो पचास वर्ष से अधिक की आयु का नहीं होना चाहिए।" ।</p>

देवेन्द्र सिंह,
प्रधान सचिव, हरियाणा सरकार,
उद्योग तथा वाणिज्य विभाग।

HARYANA GOVERNMENT
INDUSTRIES AND COMMERCE DEPARTMENT

Notification

The 23rd July, 2015

No. 20/01/2014-3IB-I .—In exercise of the powers conferred by the proviso to article 309 of the Constitution of India, the Governor of Haryana hereby makes the following rules further to amend the Haryana Industries and Commerce, Field Cadre (Group C) Service Rules, 2014 namely:-

1. These rules may be called the Haryana Industries and Commerce Field Cadre (Group C) Service (Amendment) Rules, 2015.
2. In the Haryana Industries and Commerce Field Cadre (Group C) Service Rules, 2014, in Appendix B,-
 - (i) under heading “District Industries Centre”, under columns 1,2,3 and 4, for serial number 8 and entries thereagainst, the following serial number and entries thereagainst shall be substituted, namely:-

“8	Driver	(i) Matric; (ii) should have a light transport vehicle valid driving licence at least three years old; (iii) should have passed the driving test conducted by the Haryana Staff Selection Commission; (iv) should not be colour blind; (v) Hindi/Sanskrit upto Matric standard or higher education;	By promotion (i) Matric; (ii) three years experience as Group D employee; (iii) should have a light transport vehicle valid driving licence at least three years old; (iv) should have passed the driving test conducted by the department; (v) should not be colour blind; (vi) Hindi/Sanskrit upto Matric standard or higher education; (vii) should not be more than fifty years of age; By transfer/deputation:- (i) Matric; (ii) should have a light transport vehicle valid driving licence at least three years old; (iii) three years experience of driving light transport vehicle; (iv) should not be colour blind; (v) Hindi/Sanskrit upto Matric standard or higher education; (vi) if not already working on the post of driver then should not be more than fifty years of age.”
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- (ii) under heading “(B) Quality Marking Centre, Heat Treatment Centre and Industrial Development Centre”, under columns 1,2,3 and 4, for serial number 11 and entries thereagainst, the following serial number and entries thereagainst shall be substituted, namely:-

“11	Driver	(i) Matric; (ii) should have a light transport vehicle valid driving licence at least three years old; (iii) should have passed the driving test conducted by the Haryana Staff Selection Commission; (iv) should not be colour blind; (v) Hindi/Sanskrit upto Matric standard or higher education;	By promotion (i) Matric; (ii) three years experience as Group D employee; (iii) should have a light transport vehicle valid driving licence at least three years old; (iv) should have passed the driving test conducted by the department; (v) should not be colour blind; (vi) Hindi/Sanskrit upto Matric standard
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			<p>or higher education;</p> <p>(vii) should not be more than fifty years of age;</p> <p>By transfer/deputation:-</p> <p>(i) Matric;</p> <p>(ii) should have a light transport vehicle valid driving licence at least three years old;</p> <p>(iii) three years experience of driving light transport vehicle;</p> <p>(iv) should not be colour blind;</p> <p>(v) Hindi/Sanskrit upto Matric standard or higher education;</p> <p>(vi) if not already working on the post of driver then should not be more than fifty years of age.”</p>
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- (iii) under heading “(C) Boiler Inspectorate”, under columns 1,2,3 and 4, for serial number 4 and entries thereagainst, the following serial number and entries thereagainst shall be substituted, namely:-

“4	Driver	<p>(i) Matric;</p> <p>(ii) Should have a light transport vehicle valid driving licence at least three years old;</p> <p>(iii) should have passed the driving test conducted by the Haryana Staff Selection Commission;</p> <p>(iv) should not be colour blind;</p> <p>(v) Hindi/Sanskrit upto Matric standard or higher education;</p>	<p>By transfer/deputation:-</p> <p>(i) Matric;</p> <p>(ii) should have a light transport vehicle valid driving Licence at least three years old;</p> <p>(iii) three years experience of driving light transport vehicle;</p> <p>(iv) should not be colour blind;</p> <p>(v) Hindi/Sanskrit upto Matric standard or higher education;</p> <p>(vi) if not already working on the post of driver then should not be more than fifty years of age.”</p>
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DEVENDER SINGH,
Principal Secretary to Government of Haryana,
Industries & Commerce Department.

HARYANA GOVERNMENT
TECHNICAL EDUCATION DEPARTMENT

Notification

The 23rd July, 2015

No. CDLGPE SNC /15/1474.— The Principal Secretary to Govt. Haryana, Technical Education Department cum Chairperson BOG of Ch. Devi Lal Government Polytechnic Education Society Nathusari Chopta, District Sirsa (Haryana) *vide* its order of dated 18-02-2015 has approved Amended Memorandum of Association (MOA)/ Bye-Laws of Ch. Devi Lal Government Polytechnic Education Society Nathusari Chopta, District Sirsa. These Amended MOA/Bye-Laws of the Society have been got registered with District Registrar, Firms and Societies Sirsa (Haryana) on 16-06-2015 under Sub-section (3) of Section 26 of the Haryana Registration and Regulation of Societies Act – 2012.

The Amended MOA/Bye-Laws of the Ch. Devi Lal Government Polytechnic Education Society Nathusari Chopta, District Sirsa enclosed as **page 1 to 27**. Further these Amended MOA/Bye-Laws will supersede all the previous amendments/ clauses related to MOA/Bye-Laws of this Society from the date of the notification.

VIVEK VOHRA,
Principal cum Member Secretary, CDLGPE SNC Nathusari Chopta
for Principal Secretary to Govt. Haryana, Technical Education
Department, Chandigarh cum Chairperson BOG.

HARYANA GOVERNMENT
TECHNICAL EDUCATION DEPARTMENT

CONSTITUTION OF
CH.DEVI LAL GOVERNMENT POLYTECHNIC EDUCATION SOCIETY,
NATHUSARI CHOPTA DISTRICT SIRSA

*(Registration No HR-011-2013-00339 of 12-09-2013 under Section 9 of the Haryana
Registration and Regulation of Societies Act, 2012)*

Amended
MEMORANDUM OF ASSOCIATION (MOA)
&
BYE-LAWS

Office: CDL GOVERNMENT POLYTECHNIC, NATHUSARI CHOPTA DISTRICT SIRSA

**HARYANA GOVERNMENT
TECHNICAL EDUCATION DEPARTMENT**

CONSTITUTION OF CH.DEVI LAL GOVERNMENT POLYTECHNIC EDUCATION SOCIETY, NATHUSARI
CHOPTA, DISTRICT SIRSA

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HARYANA GOVERNMENT TECHNICAL EDUCATION DEPARTMENT

CONSTITUTION OF CH.DEVI LAL GOVERNMENT POLYTECHNIC EDUCATION SOCIETY NATHUSARI CHOPTA, DISTRICT SIRSA

GPWM/R-5/2015/494-506.—In the matter of Section 6 of the “Haryana Registration and Regulation of Societies Act, 2012 (Haryana Act No 1 of 2012)” for the registration of Literary; Scientific; Charitable; Promotion of Arts; Education; Skill Development; Fine Arts; Promotion of Sports; Instruction and Diffusion of any Useful Knowledge; Establishment or Maintenance of Library; Eco-friendly Initiatives; Collection of Natural History, Mechanical and Philosophical Inventions, Instruments or Designs Societies and the matter of Ch. Devi Lal Government Polytechnic Education Society Nathusari Chopta Distt Sirsa hereinafter referred to as the “Society”

CHAPTER – I

MEMORANDUM OF ASSOCIATION

1. Name of the Society (Section 12 of Chapter IV of the Act)

The name of the Society shall be CH. DEVI LAL GOVERNMENT POLYTECHNIC EDUCATION SOCIETY NATHUSARI CHOPTA, DISTRICT SIRSA

2. Registered office of the Society (Section 11 of Chapter IV of the Act)

The registered office of the Society shall be situated at Nathusari Chopta, District Sirsa in the State of Haryana

3. Jurisdiction

The Society shall work within the territorial jurisdiction of the State of Haryana.

4. Definitions (Section 2 of Chapter I of the Act)

In this memorandum and the rules made there under unless the context otherwise requires:-

- (i) “**Act**” means “The Haryana Registration and Regulation of Societies Act, 2012” issued vide Govt. Gazetted Notification No Leg. 3/2012 of dated 28-3-2012
- (ii) “**Academic Committee**” means Academic Committee of the Society;
- (iii) “**AICTE**” means All India Council for Technical Education set up under the AICTE Act, 1987
- (iv) “**BOG**” means Board of Governors of the Society;
- (v) “**Bye-laws**” means the Bye-laws of the CH. DEVI LAL GOVERNMENT POLYTECHNIC EDUCATION SOCIETY NATHUSARI CHOPTA, DISTRICT SIRSA made under the Act;
- (vi) “**Chairman/ Chairperson**” means Chairman/Chairperson of the BOG;
- (vii) “**Central Government**” means the Government of India;

- (viii) **“Committee(s)”** means Committee(s) of the Society;
- (ix) **“Department”** means Department of Technical Education, Haryana;
- (x) **“Employees”** means the employees of the Society;
- (xi) **“HSBTE”** means Haryana State Board of Technical Education Panchkula, Haryana;
- (xii) **“HSTES”** means Haryana State Technical Education Society Panchkula, Haryana;
- (xiii) **“Junior Finance Committee (JFC)”** means Junior Finance Committee of the Society;
- (xiv) **“Junior Staff Selection Committee (JSSC) ”** means Junior Staff Selection Committee (JSSC) of the Society for recruitment of Group ‘C’ Posts of the Society;
- (xv) **“Land and Building Committee”** means Land and Building Committee of the Society;
- (xvi) **“Member(s)”** mean member(s) of the BOG;
- (xvii) **“MOA”** means Memorandum of Association of CH. DEVI LAL GOVERNMENT POLYTECHNIC EDUCATION SOCIETY NATHUSARI CHOPTA, DISTRICT SIRSA.
- (xviii) **“Polytechnic”** means CDL Govt. Polytechnic, Nathusari Chopta, Distt. Sirsa
- (xix) **“Personnel Committee (PC)”** means Personnel Committee of the Society;
- (xx) **“Principal / Principal cum Member Secretary”** means Principal of the Polytechnic/ Principal cum Member Secretary of the Society;
- (xxi) **“Rules”** means the rules of the Society made under the Act;
- (xxii) **“State Government”** means the Government of Haryana in the Administrative Department of Technical Education;
- (xxiii) **“Society”** means CH. DEVI LAL GOVERNMENT POLYTECHNIC EDUCATION SOCIETY NATHUSARI CHOPTA, DISTRICT SIRSA.
- (xxiv) **“Senior Finance Committee (SFC)”** means Senior Finance Committee of the Society;
- (xxv) **“Senior Staff Selection Committee (SSSC) ”** means Senior Staff Selection Committee (SSSC) of the Society for recruitment of Group ‘A’ and ‘B’ Posts of the Society;
- (xxvi) **“Vice Chairman/Vice Chairperson“** means Vice Chairman/ Vice Chairperson of the BOG;

5. **Aims and Objectives of the Society (Section 6 of Chapter III of the Act)**

The Society will have the following aims and objectives and shall be competent to perform these functions:

- (i) To run, manage and administer the Ch. Devi Lal Govt. Polytechnic Education Society, Nathusari Chopta, Distt. Sirsa;
- (ii) to prepare and execute detailed plans and programs for the Polytechnic and/or the Society;
- (iii) to obtain or receive grants, subscriptions, donations, gifts, bequests from State Government/ Central Government, Corporations, Trusts, or any person for the purpose of the Society. However, no bequests, donation or transfer of any property shall be accepted by the Society, which in the opinion of the Society/BOG involves conditions or obligations opposed to the spirit and object of the Society or policies/instructions/rules etc of the State Government;
- (iv) to maintain the fund of the Society to which shall be credited:
 - (a) all money provided by the State Government/ Central Government;
 - (b) all fees and other charges received by the Society;
 - (c) all money received by the Society by way of grants, gifts, donations, benefactions, bequests or transfers; and
 - (d) all money received by the Society in any other means or from any other sources;

- (v) to prepare the budget estimates of the Society for each year and to sanction expenditure within the competencies and within the limits of the budget as approved by the State Government;
- (vi) to prescribe and conduct courses of study, training and research in different branches of engineering, technology, science and management for the advancement of learning and dissemination of knowledge in such branches;
- (vii) to prescribe rules and regulations for the admission of students to the various courses of study in conformity with the policy approved in this behalf by the State Government/HSTES;
- (viii) to prescribe rules and regulations for, to hold examinations and declare results, give awards for courses other than those for University degree and in respect of the latter, to make all such arrangement as necessary or prescribed by the statutes, ordinances regulations of the University/HSBTE/State Government;
- (ix) to institute and give away award, fellowships, scholarship, prizes and medals etc;
- (x) to provide for, supervise and control the residence, health, discipline, cultural and general well-being of the students and staff of the Polytechnic;
- (xi) to provide for maintenance of units of the National Cadet Corps, National Social Service or any other units approved by the State Government amongst the students;
- (xii) to recommend creation of teaching, administrative, technical, ministerial and other posts in and for the Polytechnic and the Society, and make appointment thereto, for the efficient management of the affairs of the Polytechnic and Society;
- (xiii) to establish, maintain and manage halls and hostels;
- (xiv) to organize engineering seminars and lectures by eminent experts in engineering and management subjects and encourage original and applied research works and the writing and publication of articles etc;
- (xv) to prepare, publish books and manuals in applied sciences, engineering, technology and management;
- (xvi) to assist the student and staff of the Polytechnic in special and higher studies of engineering, technology, science and management in the country as well as abroad;
- (xvii) to conduct refresher and short-term courses for the benefit of engineers, scientists, managers, staff and other students and promote cooperation and interaction between the Polytechnic and industry;
- (xviii) to co-operate and establish links with other organization(s) in the matter of education and training in engineering, technology, science and management etc;
- (xix) to fix and demand fees/ Counseling fee and other charges payable to the Society as per the instructions of State Government;
- (xx) to acquire and hold property provided that prior approval of the State Government, wherever required, is obtained for the acquisition of moveable/ immoveable property;
- (xxi) to deal with any property belonging to or vested in the Society in such manner as the Society may deem fit, for the advancement of its objectives, provided that no immovable property of the Society shall be disposed off, in any manner whatsoever, without the prior approval of the State Government;
- (xxii) to deposit the money credited to the fund of the Society with such banks, or to invest the same in such manners, as the Society may deem fit keeping in view the policy/guidelines/instructions of State Government;
- (xxiii) to meet, out of the fund of the Society, the expenses incurred by the Society in the exercise of its powers and the performance of its functions and in the functioning of the Society;
- (xxiv) to prepare and maintain accounts and other relevant records and an annual statement of accounts including the balance sheet of the Society in the such form as may be prescribed by the State Government;
- (xxv) to consider and pass such resolutions on the annual report, the accounts and the financial estimate of the Society;
- (xxvi) to forward annually to the State Government, the accounts of the Society as certified by Auditor/ Chartered Accountant engaged/ appointed by the Society;
- (xxvii) to make contracts and enter into agreement for the smooth discharge of the functions of the Society and/or the administration of the Polytechnic;

- (xxviii) to regulate the retirements, training, promotion, demotion and discharge of employees, if any, under the rules and bye-laws of the Society;
- (xxix) to sue, to institute and defend all legal proceedings on behalf of State Govt. / Technical Education Department / related Polytechnic / Affiliating Universities/ related agencies and the Society;
- (xxx) to appoint committees for the disposal of any business of the Society or for tendering advise in any matter pertaining thereto;
- (xxxi) to delegate to such extent as it may deem necessary, any of its powers to any member/ staff of the Society or to any Committees of the Society;
- (xxxii) to make, add, amend, vary or rescind from time to time, with the prior approval of the State Government, the MOA/Bye-laws/Rules or regulations of, and for any purpose connected with the management and administration of the affairs of the Society and admission related matters and for the furtherance of the objects of the Society;
- (xxxiii) to make, adopt, amend, vary or rescind, from time to time Bye-Laws for :- (a) the conduct of the business of the Society and the committees constituted by it; and (b) the co-option of members to the Society;
- (xxxiv) to perform such other functions and to carry out such other duties as may, from time to time, be assigned to it by the State Government; and
- (xxxv) to do all such things as may be necessary, incidental or conducive to the attainment of all or any of the objects of the Society

6. **Constitution of the Society (Section 14 of Chapter V of the Act)**

The constitution of Society shall be as under:-

1	Administrative Secretary to Government of Haryana, Technical Education Department Chandigarh, <i>ex-officio</i> ,	Chairman/ Chairperson
2	Director General, Technical Education Haryana Panchkula, <i>ex-officio</i> ,	Vice Chairman/ Vice Chairperson
3	Administrative Secretary to Government Haryana, Industries Department Chandigarh, <i>ex-officio</i> ,	Member
4	Administrative Secretary to Government Haryana, Finance Department Chandigarh, <i>ex-officio</i>	Member
5	Representative of All India Council for Technical Education New Delhi (AICTE) (to be appointed by All India Council for Technical Education New Delhi)	Member
6	One educationist in the area of Technical Education to be nominated by the Chairman/ Chairperson	Member
7	One industrialist in the area of Technical Education to be nominated by the Chairman/ Chairperson	Member
8	Deputy Commissioner <u>Panchkula</u> , <i>ex-officio</i>	Member
9	<u>Principal CDL Government Polytechnic Nathusari Chopta District –Sirsa</u> <i>ex-officio</i>	Member- Secretary

7. Name of the founder members of the Society to which the Bye-Laws and Rules of the management affairs is entrusted

A copy of the Bye-laws /Rules of the Society certified to be correct copy signed by four members of the Society is filed along with this Memorandum of Association.

We, the following persons whose names and addresses are given below having associated for the purpose described in this Memorandum of Association do hereby subscribe our names to this Memorandum of Association and set out several and respective hands thereunder and form ourselves into a Society under the Haryana Registration and Regulation of Societies Act, 2012 (Haryana Act No 1 of 2012)), on this date of 25th May, 2015.

Sr. No.	Name of the member	Designation in BOG	Address	Signature
1	Smt. Dheera Khandelwal, IAS,	Chairman/ Chairperson	Administrative Secretary to Govt. of Haryana Technical Education Department Chandigarh	Signed
2	Sh. Subhash Chandra IAS	Vice Chairman/ Chairperson	Director General, Technical Education Haryana Panchkula	Signed
3	<u>Sh. Nikhil Gajraj, IAS</u>	Member	Deputy Commissioner, <u>Sirsa</u>	Signed
4	<u>Sh. Vivek Vohra</u>	Member Secretary	<u>Principal, CDL Govt. Polytechnic Nathusari Chopta Distt. Sirsa</u>	Signed

CHAPTER –II

BYE-LAWS

(Section 25 of Chapter VI of the Act)

In pursuance of Clause 5(xxxii) of Chapter I of the MOA of the Society, the Board of Governors hereby makes the following BYE-LAWS/RULES for the governance of the Society

PART – I

1. Name of the Society with registration details:

Ch. Devi Lal Govt. Polytechnic Education Society, Nathusari Chopta, Distt. Sirsa (Registered vide Registration. No 44 of 01-12-2006 under Society Act 1860 (Section 21) and Re-registered vide Registration. No HR-011-2013-00339 of 12-09-2013 under Section 9 of the Haryana Registration and Regulation of Societies Act, 2012)

2. Short Title:

“These Bye-Laws may be called “Bye-Laws of Ch. Devi Lal Govt. Polytechnic Education Society, Nathusari Chopta, Distt. Sirsa.”

3. Registered office of the Society (Section 11 of Chapter IV of the Act):

The registered office of the Society shall be situated at Nathusari Chopta Distt. Sirsa

4. Roll of Members (Section 33(4) of Chapter VII of the Act):

The Society shall keep a roll of members and every member of the Society shall sign, the roll and state therein his or her rank of occupation and address. No person shall deem to be a member, or be entitled to exercise rights and privileges of a member unless he or she has signed the roll as aforesaid.

5. Change of address by Member:

If a member of the Society changes his/her address, he/she shall notify the same to the Member Secretary his/her new address, but if he/she fails to notify such new address, his/her address in the roll of the member shall be deemed to be his/her address.

6. Governing Body of the Society (Section 33 of Chapter VII of the Act):

The general superintendence, direction and control of the affairs of the Society and of its income and property shall be vested in the Governing Body of the Society which shall be called the Board of Governors, Ch. Devi Lal Govt. Polytechnic Education Society, Nathusari Chopta, Distt. Sirsa hereinafter referred to as the "BOG".

7. Constitution of Board of Governors (BOG) (Section 33 of Chapter VII of the Act):

The Board of Governors shall comprise the following members :

1	Administrative Secretary to Government Haryana, Technical Education Department Chandigarh, <i>ex-officio</i> ,	Chairman/ Chairperson
2	Director General, Technical Education Department Haryana Panchkula, <i>ex-officio</i> ,	Vice Chairman/ Chairperson
3	Administrative Secretary to Government Haryana, Industries Department Chandigarh, <i>ex-officio</i> ,	Member
4	Administrative Secretary to Government Haryana, Finance Department Chandigarh, <i>ex-officio</i> ,	Member
5	Representative of All India Council for Technical Education New Delhi (AICTE) (to be appointed by all India Council for Technical Education New Delhi)	Member
6	One educationist in the area of Technical Education to be nominated by the Chairman/Chairperson	Member
7	One industrialist in the area of Technical Education to be nominated by the Chairman/Chairperson	Member
8	Deputy Commissioner <u>Sirsa</u> , <i>ex-officio</i>	Member
9	<u>Principal CDL Govt. Polytechnic, Nathusari Chopta, Distt. Sirsa</u> <i>ex-officio</i>	Member- Secretary

8. Vacancy in the Society/ BOG (Section 22 of Chapter V of Act)

The following circumstances shall cause a vacancy in the Society/ Board of Governors:

- a) where a member of the Society/ BOG becomes a member by reasons of the office he/she holds, his/her membership shall terminate when he/she ceases to hold that office, or;
- b) when the appointment of member in case of AICTE and nomination of members by the Chairman/Chairperson are withdrawn by the competent authority, his /her membership shall terminate at the completion of their tenure of 4 years as specified, or;
- c) when the member appointed by the AICTE or nominated by the Chairman/Chairperson resigns the office by writing a letter addressed to the Chairman/Chairperson and the same is accepted by the Chairman/Chairperson, or;
- d) Death of a member, or;
- e) Immigration from India, or;
- f) Insanity, or;
- g) Resignation of a member, or;
- h) Conviction for an offence involving moral turpitude, or;
- i) continued absence without satisfactory reasons from three consecutive meeting, or;
- j) Insolvency.

9. Terms of the office of Members of the BOG (Section 33(3) of Chapter VII of the Act):

The term of the office of members of the Society/ BOG shall be

- a) The term of office of an *ex-officio* member shall continue so long as he/she holds the office by virtue of which he/she is a member
- b) The term of the office of members appointed/nominated mentioned at Sr. No (5), (6) and (7) of the constitution of BOG shall be for four years from the 1st of January of the year in which he/she was appointed/ nominated. But such members shall be eligible for re-appointment or re-nominations.
- c) Notwithstanding anything contained in this section, an outgoing member shall, unless the BOG otherwise directs, continue in BOG until another person is appointed/ nominated as a member in his place.

10. Filling of vacancy in the Board:

Vacancies in the Board of Governors, from time to time shall be filled, on the recommendation of the authority which shall appoint/ nominate the member whose place falls vacant in the BOG.

11. Quorum for the Meetings (Section 31 of Chapter VII of the Act):

- i) A simple majority of the total membership shall constitute the quorum of any meeting of the BOG/ Committees constituted by the BOG/ Sub-Committees constituted by the BOG, including the Chairman/Chairperson. However, no quorum would be required for an adjourned meeting summoned after due notice.
- ii) The Board of Governors shall meet at least once in a year.
- iii) Not less than fifteen day's notice shall be given for every meeting of the BOG or any meeting of the Committees constituted by the BOG.
- iv) The Chairman/Chairperson shall have the power to call meeting(s) on short notice to deal with urgent and emergent business of the BOG.
- v) Each member of the Society including the Chairman/ Chairperson shall have one vote. In case of

difference of opinion amongst the members, the opinion of the majority shall prevail. In case of tie, the Chairman/Chairperson of the meeting shall have the right to exercise a casting vote

- vi) A copy of the proceedings of the every meeting(s) shall be sent to the members. All proceedings of the BOG and Committee(s) shall be recorded in the Minutes Book and signed by the Member Secretary and Chairman/Chairperson.
- vii) Every meeting of the BOG shall be presided over by the Chairman/Chairperson and in his/her absence by the Vice Chairman/ Chairperson of the Society.

12. Approval of agenda/resolution by circulation:

Any resolution/agenda which may be necessary for the BOG to adopt, may be passed by circulation among all its members and any such resolution/agenda so circulated and approved by a majority of members shall be effectual and binding as if such resolution/agenda had been passed at the meeting of the BOG, provided at least 50% members of the BOG have recorded their views in favour of the resolution. The Member Secretary after seeking the approval from the Chairman/ Chairperson will circulate the resolution/agenda to the members with the request for recording their views on the resolution/agenda and thereafter compile the same.

13. Proceedings not invalidated by vacancies (Section 80 of the Act-2012):

No action or proceedings of the Society/Board of Governors shall be invalidated merely by reasons of the existence of the vacancy among its members, provided the quorum is complete.

14. Member of the BOG unable to attend meeting due to reason beyond his/her control:

If any member of the BOG (other than Chairman/Chairperson) is prevented from attending meeting of the BOG due to reasons beyond his/her control, he/she shall be at liberty to appoint and authorize a representative to take his place at the meeting of the BOG and such representative shall have the rights and privileges of a member of the BOG for that meeting.

15. Powers and Functions of the Board of Governors (Section 34(1) and 34(2) of Chapter VII of the Act):

The powers and functions of the Board of Governors shall be as under:-

- (1) The BOG shall be responsible for the general superintendence, direction and control of the affairs of the Polytechnic and shall exercise all the powers of the Polytechnic not otherwise provided for by this MOA, the Bye-Laws and the Rules.
- (2) Without prejudice to the provisions of sub-section (1), the BOG of the Society shall:
 - (a) Take decisions on the questions of policy relating to the administration and working of the Polytechnic;
 - (b) Prepare and execute detailed plans and program for the Polytechnic and to carry on its administration and management;
 - (c) Obtain or receive grants, subscriptions, donations, gifts, bequests from State Government/ Central Government, Corporations, Trusts, or any person for the purpose of the Society. However, no bequests, donation or transfer of any property shall be accepted by the Society, which in the opinion of the BOG involves conditions or obligations opposed to the spirit and object of the Society;
 - (d) Maintain the fund of the Society to which shall be credited:-
 - i. all money provided by the State Government/ Central Government;
 - ii. all fees and other charges received by the Society;

- iii. all money received by the Society by way of grants, gifts, donations, benefactions, bequests or transfers; and
 - iv. all money received by the Society in any other means or from any other sources.
- (e) Prepare budget estimate for each year to sanction expenditure within the limits of the budget as approved by the State Government;
 - (f) Prescribe and conduct courses of study and training in different branches of engineering and technology, science and management;
 - (g) Prescribe rules and regulation for the admission to be made on merit in accordance with the criteria prescribed by the State Government and other competent authorities;
 - (h) Polytechnic and award fellowship, prizes and medals;
 - (i) Supervise the welfare, health and discipline of students;
 - (j) Appoint, suspend, reprimand, dismiss or take such other disciplinary measures as may be necessary in respect of employees of the Society/ Polytechnic in accordance with the provision contained in Security of Services Rules;
 - (k) Sue and defend all legal proceedings on behalf of the Society/ Polytechnic;
 - (l) Co-operate with other organizations including industries in the matter of education in engineering, technology, science and management;
 - (m) Enter into arrangements, constitution and agreement for and on behalf of the Society, within the scope of the constitution of the Society/ Polytechnic;
 - (n) Delegate such of its powers as may be necessary to any officers of the Society for the administration of the affairs of the Polytechnic;
 - (o) Prepare and adopt annual report, annual accounts and other resolutions relating to financial matter of the Society;
 - (p) Make Byelaws/Rules for the regulation of and for the purpose connected with the administration and management of the Polytechnic and for the furtherance of its objectives within the scope of constitution;
 - (q) Modify, amend or cancel Byelaws/Rules;
 - (r) Provide provident fund/ common fund/ pension scheme and such other funds, if any, for the benefit of the Employees of the Society as it may deem necessary according to the guidelines of the State Government; and
 - (s) Fix admission, tuition and other charges as may be prescribed by the State Government;
 - (t) Will ensure that all receipts/income of the Society is credited under the Receipt Head of the Department of Technical Education Haryana.
- (3) The BOG shall have the powers to appoint such Committee(s) for the disposal of any business of the Society/Polytechnic as it considers necessary for the exercise of its powers and the performance of its duties as defined under MOA. It shall also have the powers to modify, amend or abolish the Committee(s.). However the action(s) taken by these Committee(s) shall be reported for confirmation at the next meeting of the BOG.

16. Authorities of the Society:

The following shall be the authorities of the Society:

- (a) Board of Governors(BOG);
- (b) The following Committee(s) will assist the BOG for the disposal of business of the Polytechnic as per the powers/functions mentioned herein
 - (i) Senior Staff Selection Committee (SSSC);
 - (ii) Junior Staff Selection Committee (JSSC);

- (iii) Land and Building Committee (L&BC);
- (iv) Junior Finance Committee (JFC);
- (v) Senior Finance Committee (SFC);
- (vi) Academic Committee(AC);
- (vii) Personnel Committee(PC)

(c) Such other authorities as may be declared by the BOG/Rules to the authorities of the Society

17. Senior Staff Selection Committee (SSSC) :

(a) The constitution of Senior Staff Selection Committee (SSSC) of the Society shall be as under:

S. No.	Committee constitution	Designation
1.	Administrative Secretary to Government Haryana, Technical Education Department. Chandigarh, <i>ex-officio</i> ,	Chairman/ Chairperson
2.	Director General, Technical Education Department Haryana Panchkula, <i>ex-officio</i> ,	Member
3.	Director/ Principal, NIT Kurukshetra <i>ex-officio</i> or his nominee not below the rank of Head of Department of Engg Branch	Member
4.	Director/ Principal, NITTTR, Sector 26, Chandigarh <i>ex-officio</i> or his nominee not below the rank of Head of Department of Engg Branch	Member
5.	Two subject experts to be nominated by Chairman/Chairperson	Member
6.	Principal, <u>CDL Govt. Polytechnic, Nathusari Chopta, Distt. Sirsa</u> <i>ex-officio</i>	Member Secretary

(b) Powers/Functions of SSSC :

The committee is meant for recruitment of Group 'A' and 'B' posts in the cadre of the Ch.Devi Lal Govt. Polytechnic Education Society, Nathusari Chopta, Distt. Sirsa

- (i) The committee can finalize any rationale eligibility criteria as deem necessary to ensure merit, transparency and quality while making selection to these posts;
- (ii) The Committee is a recommending body and the appointment shall be issued by the Competent Authority of the Society as defined under rule 6(v) of Chapter III.
- (iii) The quorum of the committee meetings will be as per Clause 11 of Chapter II of these Bye-Laws.

18. Junior Staff Selection Committee (JSSC):

- (a) The constitution of Junior Staff Selection Committee (JSSC) of the Society shall be as under

S. No.	Committee constitution	Designation
1.	Director General, Technical Education Department Haryana <i>ex-officio</i>	Chairman/ Chairperson
2.	Additional Director (looking after the work of Society Polytechnics), Technical Education Department Haryana <i>ex-officio</i>	Member
3.	Principal of <u>Government Polytechnic Sirsa</u> <i>ex-officio</i>	Member
4.	Any one Head of Department nominated by Principal cum Member Secretary of the Society Polytechnic	Member
5.	One subject expert from outside to be nominated by Chairman/Chairperson of this committee	Member
6.	<u>Principal, CDL Government Polytechnic Nathusari Chopta (Sirsa)</u> <i>ex-officio</i>	Member Secretary

- (b) Powers/Functions of JSSC :

- (i) The committee is meant for recruitment of Group 'C' posts in the cadre of the Ch. Devi Lal Govt. Polytechnic Education Society, Nathusari Chopta, Distt. Sirsa
- (ii) The committee can finalize any rational eligibility criteria as deem necessary to ensure merit, transparency and quality while making selection to these posts;
- (iii) The Committee is a recommending body and the appointment shall be issued by the Competent Authority of the Society as defined under Rule 6(v) of Chapter III.
- (iv) The quorum of the committee meetings will be as per Clause 11 of Chapter II of these Bye-Laws.

19. Appointment on Group 'D' posts in the cadre of the Society:

All appointment on Group 'D' posts in the cadre of the Society shall be filled as per the provision contained under Rule 7(viii) of Chapter III in a fair and transparent manner.

20. Land and Building Committee (L&BC);

- (a) The constitution of Land and Building Committee (L&BC) of the Society shall be as under :-

S. No.	Committee constitution	Designation
1.	Director General, Technical Education Department Haryana <i>ex-officio</i>	Chairman/ Chairperson
2.	Chief Architect Haryana ex-officio or his representative	Member

3.	Engineer-in-Chief Haryana PWD (B&R) <i>ex-officio</i> or his representative not below the rank of Executive Engineer of the concerned circle in which Polytechnic is located	Member
4.	Joint Director (Dev), Directorate of Technical Education Haryana Panchkula <i>ex-officio</i>	Member
5.	H.O.D (Civil Engg) in Govt. Polytechnic Cadre to be nominated by Chairman/ Chairperson of the committee	Member
6.	<i>Principal CDL Govt. Polytechnic, Nathusari Chopta, Distt. Sirsa ex-officio</i>	Member Secretary

(b) Powers/Functions of Land and Building Committee (L&BC) :-

- (i) Examination and approval of the estimate(s) of civil work(s) of the Society on behalf of the Board of Governors;
- (ii) To review the progress of Society's ongoing civil works and make plans for various works as per requirement.
- (iii) The quorum of the Committee meetings will be as per Clause 11 of Chapter II of these Bye-Laws

21. Junior Finance Committee (JFC):

(a) The constitution of Junior Finance Committee (JFC) of the Society shall be as under :-

S. No.	Committee constitution	Designation
1	Principal cum Member Secretary, <i>Ch. Devi Lal Govt. Polytechnic Education Society, Nathusari Chopta, Distt. Sirsa ex-officio</i>	Chairman/ Chairperson
2	Principal, <i>Govt. Polytechnic Sirsa ex-officio</i> or his/her representative not below the rank of HOD	Member
3	Representative of Directorate of Technical Education Haryana to be nominated by Director General Technical Education Haryana	Member
4	General Manager, District Industries Centre <i>Sirsa ex-officio</i> OR his/her representative not below his/her next subordinate	Member
5.	Section Officer of the Society/ Section Officer from Technical Education Department Haryana to be nominated by Account Officer of the Department	Member
6.	HOD of the Department, <i>CDL Govt. Polytechnic, Nathusari Chopta, Distt. Sirsa ex-officio</i>	Member Secretary

(b) Powers/Functions of JFC :-

- i. The committee shall have authority to effect and approve purchases for the Society for an amount of above Rs. 1 lac but up to Rs. 5 lacs ;
- ii. To consider and approve any other financial matter of the Society for amounting to above Rs. 1 lac but up to Rs. 5 lacs
- iii. The quorum of the Committee meetings will be as per Clause 11 of Chapter II of these Bye-Laws.

22. Senior Finance Committee (SFC):

(a) The constitution of Senior Finance Committee (SFC) of the Society shall be as under :-

S. No.	Committee constitution	Designation
1	Director General, Technical Education Haryana cum Vice Chairman/Chairperson of the BOG <i>ex-officio</i>	Chairman/ Chairperson
2	Director, Industry Department Haryana <i>ex-officio</i> or his representative not below the rank of Additional Director	Member
3	Account Officer, Directorate of Technical Education Haryana Panchkula <i>ex-officio</i>	Member
4	Principal, <u>Govt. Polytechnic Sirsa</u> <i>ex-officio</i>	Member
5	Joint Director (Development) Technical Education Department Haryana <i>ex-officio</i>	Member
6	HOD of the Department concerned, <u>CDL Govt. Polytechnic, Nathusari Chopta, Distt. Sirsa</u> <i>ex-officio</i>	Member
7	Principal, <u>CDL Govt. Polytechnic, Nathusari Chopta, Distt. Sirsa</u> <i>ex-officio</i>	Member Secretary

(b) Powers/Functions of SFC :-

- (i) To recommend creation/ abolition of posts in the cadre of the Society to BOG;
- (ii) To scrutinize Polytechnic budget and recommendation of the same to BOG;
- (iii) To scrutinize the audit reports and submit the recommendations and observations to the BOG;
- (iv) To exercise such financial powers as the BOG may delegate from time to time;
- (v) To consider and approve any other financial matter of the Society for amounting to above Rs. 5 (Five) lac but upto Rs. 25 (twenty five) lacs
- (vi) The SFC is authorized to give effect and approve purchases above Rs. 5 (Five) lacs and up to Rs. 25 (twenty five) Lacs in respect of the Society.
- (vii) The quorum of the committee meetings will be as per Clause 11 of Chapter II of these Bye-Laws.

23. Academic Committee (AC):

(a) The constitution of Academic Committee (AC) of the Society shall be as under :-

S. No.	Committee constitution	Designation
1	Principal, <u>CDL Govt. Polytechnic, Nathusari Chopta, Distt. Sirsa</u> <i>ex-officio</i>	Chairman/ Chairperson
2	Representative of Secretary, Haryana State Board of Technical Education Panchkula	Member
3	Representative of Director cum Principal, NITTTR Chandigarh	Member
4	One Industrialist to be nominated by the Vice Chairman/ Chairperson of the BOG	Member

5	One Educationist to be nominated by the Vice Chairman/ Chairperson of the BOG	Member
6	One person from technical education institution not below the rank of Assistant Professor of any Govt./ Private Universities in the State of Haryana to be nominated by the Chairman/ Chairperson of this committee	Member
7	All HODs, <u>CDL Govt. Polytechnic, Nathusari Chopta, Distt. Sirsa</u> ex-officio	Members
8	HOD of the Department concerned, <u>CDL Govt. Polytechnic, Nathusari Chopta, Distt. Sirsa</u> ex-officio	Member Secretary

(b) Powers/Functions of AC :-

- (i) To look into and take appropriate decision(s) in all matters relating to academics of the Society/Polytechnic.
- (ii) The quorum of the committee meetings will be as per Clause 11 of Chapter II of these Bye-Laws.

24. Personnel Committee (PC) :

(a) The constitution of Personnel Committee (PC) of the Society shall be as under :

S. No.	Committee constitution	Designation
1	Principal, <u>CDL Govt. Polytechnic, Nathusari Chopta, Distt. Sirsa</u> ex-officio	Chairman/ Chairperson
2	Representative of Director General, Technical Education Haryana not below the rank of Deputy Director	Member
3	One Account Officer (Retd) / Assistant Director (Retd) /Superintendent (Retd) of Technical Education Department having experience of Account matter/ Establishment matter to be nominated by the Chairman/Chairperson of this committee	Member
4	Deputy Superintendent/ Officer In-charge Establishment Matters, <u>CDL Govt. Polytechnic, Nathusari Chopta, Distt. Sirsa</u> ex-officio	Member Secretary

(b) Powers/Functions of Personnel Committee :-

- (i) The committee shall be responsible for considering all issues relating to establishment matters of the Society.
- (ii) The quorum of the committee meetings will be as per Clause 11 of Chapter II of these Bye-Laws.

25. Financial Powers in the Society:

The financial powers of the authorities of the Society shall be

S. No	Authority	Financial Power vested
a	BOG	Full powers
b	Chairman/Chairperson of BOG	Full powers subject to ratification/approval of BOG in its next meeting
c	Senior Finance Committee (SFC)	Above Rs. 5 Lac and up to Rs 25 Lac per contract
d	Junior Finance Committee (JFC)	Above Rs. 1 Lac and up to Rs 5 Lac per contract
e	Principal cum Member Secretary of Society	*Up to Rs. 1 Lac per contract
f	Head of Department in the Polytechnic	Rs. 500/- per month per HOD to meet urgent office contingency expenses
<i>*Prudent Shopping/ Procurement worth Rs. 2000/- per contract can be made on a single quotation</i>		

26. Office Bearers of the Board of Governors (BOG):

The office bearers of the Board of Governors shall be

- a. Chairman/ Chairperson
- b. Vice Chairman/Vice Chairperson
- c. Principal cum Member-Secretary.

27. Chairman/Chairperson-Functions and Duties (Section 34(1) and 34(2) of Chapter VII of the Act)

- (a) The Chairman/Chairperson shall exercise responsibilities, rights, duties and obligations normally/impliedly/ inherently vested with the office.
- (b) The Chairman/Chairperson shall preside over at the meetings of the Board of Governors, take votes, declare results of the voting and generally supervise and Conduct of the Business of the meeting. The decision of the Chairman/Chairperson relating to the Conduct at any meeting shall be final.
- (c) He/she shall perform such function and duties as may, from time to time, be entrusted to him/her by the Board of Governors/ State Government.
- (d) He/she shall exercise all such functions and duties as are vested with him/her as Administrative Secretary to Govt. Haryana, Technical Education Department as Chairman/Chairperson of the BOG in the Society

28. Vice Chairman/ Vice Chairperson – Functions and Duties (Section 34(1) and 34(2) of Chapter VII of the Act)

The Vice Chairman/Vice Chairperson shall act as Chairman/Chairperson when the Chairman/Chairperson is out of station or otherwise engaged and shall carry out such functions and duties as may be, from time to time, entrusted to him/her by the Chairman/Chairperson or Board of Governors. He/she shall exercise all such functions and duties as are vested with him/her as Director General, Technical Education Department as Vice Chairman/Vice Chairperson of the BOG in the Society.

29. Principal cum Member Secretary- Functions and duties (Section 34(1) and 34(2) of Chapter VII of the Act)

- (a) The BOG shall appoint the Principal in the Society from amongst the Principals/ staff eligible for the post of Principal from the cadre of the Combined Govt. Polytechnics of the State or from staff from the Society eligible for the same with the approval of the State Government;
- (b) It shall be duty of Principal cum Member Secretary to ensure that all the decisions taken by the BOG/ Committees constituted by the BOG are implemented in true letter and spirit;
- (c) The Principal shall be responsible for the proper administration thereof and for imparting of instruction and maintenance of discipline therein;
- (d) All other staff of the Polytechnic shall be subordinate to the Principal;
- (e) The Principal shall have such other powers and perform such other functions as may be delegated or assigned to him/her by the BOG or as laid down in the Bye-Laws/Rules
- (f) The Principal shall have power to delegate any of his/her powers, responsibilities and authority vested with him/her under the MOA and Rules to one or more of his subordinates.
- (g) The Principal shall have the power to re-appropriate the Society budget for the current year based upon the actual expenditure as on September, December and February of that year subject to condition that this re-appropriations shall be within the overall budgetary allocation approved by the BOG for that current financial year;
- (h) The Principal shall have the powers to prepare and submit to the State Government the Society Revised Estimate (RE) for the current financial year and Budget Estimate (BE) for the next financial year based on the actual requirements based on mid-year expenditure status and also keeping in view the Finance Department Haryana latest instructions in this regard. However, the same needs to be got ratified from the BOG in its next meeting whenever held in near future;
- (i) The Principal may at his/her discretion, constitute such Committee(s) as he/she may consider appropriate for the day to day business of the Polytechnic;
- (j) The Principal shall be the Member Secretary of the BOG/Society and/or its committees/sub-committees where ever applicable;
- (k) The Principal cum Member Secretary shall be responsible for maintaining and up keeping all the original records (official notings /approvals) related to issues of BOG, Committees, and Single File Approvals etc for various businesses of the Society.

30. Travelling Allowance and Daily Allowance to the members of the Board/ Committees:

- (a) The members of the Society or the BOG or of any committee(s) appointed by the BOG shall not be entitled to any remuneration from out of the Society; but non-official members of the Society/BOG or any Committee or consultants thereof shall be paid by the Society such traveling and daily allowance, in respect of any journey undertaken by them for attending the meeting of the Board/Society or the committee or in connection with any other business of the Society or the meeting as may be provided for in the byelaws to be made in this behalf/ as prevalent and as amended from time to time by the State Government, as the case may be.
- (b) The official members, who are employees of the Centre or the State Government shall, however, initially receive travelling and daily allowance from the same source from which they draw their salaries at rates admissible to them, according to their respective Government rules, but the entire expenditure on Travelling Allowance and Daily Allowance shall be reimbursed from funds of the Society to the Central or State Government.

31. Book of Accounts, Operation of Accounts, Audits, Filing of documents (Section 47, 48, 49, 50 and 84 of Act):

(1) **Book of Accounts:** The Society shall keep and maintain the following books of accounts, namely:

- (a) A cash book showing daily receipt and expenditure, and the balance at the end of each day;
- (b) Receipt book, containing forms in duplicate/ counter-foils, one of each set to be issued with details for money received by the Society and other to serve as counterfoil;
- (c) Voucher's file, containing all vouchers for contingent and other expenditure incurred by the Society, numbered serially and filed chronologically;
- (d) Ledger showing consolidated and separate accounts of all items of Receipt and Expenditure;
- (e) Any other Books/ Registers/ Sub-ledgers as deemed appropriate by the BOG
- (f) Every entry in the books of account required to be kept in terms of Section 47 of the Act shall be made as and when any transaction takes place.
- (g) On receipt of any money, in cash or by cheque or any other means, a receipt recording the purpose of such receipt (e.g. membership fee or annual subscription or donation etc.) shall be issued to the payee by the Society.
- (h) Any voucher, duly signed by the payee in token of any payment or expenditure incurred shall be obtained by the Society at the time any payment is made to him and such voucher shall be immediately filed in the file maintained for the purpose.
- (i) Keeping in view Section 84 of the Act, all the above book of accounts, transactions, forms, payments and other services under the Act should also be administered through e – Governance/Online in suitable software like Tally etc so to ensure double check, transparency and efficiency in its working.

(2) Operation of Accounts:

- (a) The Board of Governors shall cause true accounts to be kept of all financial transactions and of all sums of money received and expended by the Board of Governors, maintain records of the receipts and expenses relating to such matters and of the assets, credit and liabilities of the Board, provided that the accounts of the Society shall be kept separately and exclusively.
- (b) The Board of Governors shall open an account and deposit the funds except such sums as may be required for current expenses in any Scheduled Bank. The Member Secretary will be the authority on behalf of BOG to open the bank account in any scheduled bank, however, the same shall be got ratified from the BOG.
- (c) The funds shall be utilized solely for the purpose for which these are sanctioned within the prescribed period.
- (d) The Principal of the Polytechnic shall retain only such amounts in his hands as may be required for current expenses by way of permanent advance that may be prescribed from time to time by the Board of Governors.
- (e) No withdrawal out of the funds of the Polytechnic shall be made except on cheques to be signed by two signatories. One of the signatory will be the Principal Cum Member Secretary of the Society. The second will be nominated by Principal cum Member Secretary from amongst staff from Establishment Branch/ Senior Faculty, however the same shall be got ratified from the BOG.
- (f) The Member Secretary will be the authority on behalf of BOG to open additional bank account(s) in any scheduled bank in case of any centrally/state sponsored schemes of GOI/State Government which requires so as per the implementation of the scheme. However all book of accounts for this account will be maintained.

(3) Audits:

- (a) The Society shall get its annual accounts audited from the Auditor/CA/CA Firm who is a member of the Polytechnic of Chartered Accountants of India (ICAI) constituted under the Chartered Accountants Act, 1949 (Central Act 38 of 1949).
- (b) The Auditor/Chartered Accountant (CA)/ CA Firm shall be appointed by the Principal cum Member Secretary by following a transparent mechanism/ criteria. However, the same shall be got ratified from the BOG.

(4) Filing of documents:

- (a) Within six months after the close of financial year, the Principal of the Polytechnic shall submit to the State Government, the audited accounts of Income and Expenditure on the pro-forma prescribed by the State Government every year.
- (b) The Principal of the Polytechnic shall submit the Utilization Certificate on the pro-forma prescribed by the State Government in respect of recurring/non-recurring grants immediately after the utilization of the grant to the Technical Education Department, Haryana latest by 15th May of every Financial Year.
- (c) The Principal of the Polytechnic shall prepare and submit for every financial year the Budget Estimate (BE) for the next year and Revised Estimate (RE) for the current year to State by such date as the State Government may fix in this behalf. However, the same needs to be got ratified from the BOG in its next meeting.
- (d) Within six months after the close of every year, the Society shall submit to the State Government a report on the working of the Society and the Polytechnic during such year.
- (e) The Society shall, by such date as the State Government may fix in this behalf, submit to the State Government any requirement of reports/documents/disclosers etc associated with the working of the Society, as may be required by Govt. from time to time.

32. Legal Proceedings (Section 76 and 77 of the Act-2012):

- (a) The Society registered under the Act shall be a Body Corporate by the name under which it is registered and shall have a common seal. The Society shall be entitled to acquire, hold and with the approval of the Govt. where ever required dispose of property, to enter into contracts, to institute and defend suits and other legal proceedings and do all other things necessary for its aims and objects, for which it has been established.
- (b) For the purpose of the Act, the Member Secretary of the Society shall be authorized and is hereby authorized to take action as required by the said section.
- (c) For the purpose of the Section 77 of the said Act, the Society may sue or be sued in the name of Member Secretary who is authorized on behalf of the BOG in this behalf and may bring or defend any action or other legal proceedings touching or concerning any property or any rights or claims of the Society or any such returns as the State Government may require. It can also be any authorized representative of the Member Secretary of the Society
- (d) All contracts for and on behalf of the Society or the Polytechnic, as the case may be, shall be executed in the name of the Society. The Principal of the Polytechnic shall execute all contract/ agreement required to be executed between the Society and the third party. However, the same will be required to be got ratified by the BOG in its next meeting whenever held.

- (e) No contracts for the sale, purchase or supply of any goods or material shall be made or financial agreement entered into for and on behalf of the Society with any member of Society or the Board of Governors, or his relative or a firm of which such members or relatives is a partner or share holder or any other partner in such a firm or a private company of which the member is a member or Principal without declaration of interest.

33. Powers of the Government to issue directions (Section 66, 67 and 68 of Chapter XIV of the Act):

- (a) The State Government shall have the powers to issue such directions to the Society, as may be considered expedient from time to time with regard to management of its affairs, financial management, audit and submission of documents on its working or any other issues related to efficient working of the Society or the Polytechnic.
- (b) The State may appoint one or more persons to review the work and progress of the Society or Polytechnic or both, to hold an inquiry into the affairs and issue directions thereof in such manner as the State Government may determine and to report thereon to the State Government.
- (c) Upon receipt of such report, the State Government may, take such action and issue such direction to the Society as may be considered necessary and the Society shall be bound to comply with and act according to such direction.

34. Dissolution and effect of Dissolution (Section 69 and 70 of Chapter XIV of Act):

- (a) The State Government may, for the reasons to be recorded in writing, order dissolution of the Society with effect from the date, as may be specified in the order under the provision of the Act 2012 or rules in.
- (b) The Society by its constitution will apply its profits, if any, or other income in promoting its objects, If upon the winding up or dissolution of the Society there remains, after satisfaction of all its debts and liabilities any property whatsoever, the same shall not be paid to or distributed among the members of the Society, but shall be given or transferred to the State Government or some other institution of the State Government having objects similar to the objects of the Society to be determined by the members the Society at or before the time of dissolution.
- (c) On the dissolution of the Society, the registration of the Society shall stand cancelled and it shall cease to exist as a Body Corporate.

35. Amendment of Memorandum and Bye-laws (Section 26 of the Act):

- (a) Subject to the prior approval of the State Government and further subject to provisions of the Act - 2012, the Society may alter, extend or abridge any of these rules or any procedure laid thereby.
- (b) Such alterations, extensions or abridgement may as aforesaid, be made by means of a resolution passed by the majority of two-third of the members present in the special meeting of the Society conveyed for the purpose after giving due notice of such resolution to all the members of the Society.

36. Special powers (Section 66 of Chapter XIV of Act):

- (a) Notwithstanding anything contained herein, the Board of Governors may, with the approval of the State Government, effect any amendment to the above constitution and rules.
- (b) Notwithstanding anything to the contrary contained in any other rules, all previous actions taken by the Board of Governors and the State Government shall be deemed to have taken by the BOG/State Government under these rules.

37. Conditions for Financial benefit for the members of the Society:

- (a) The income and property of the Society shall be applied solely towards the promotion of the objects of the Society as set forth in the Memorandum of Association and no portion thereof shall be paid or transferred directly or indirectly to the members of the Society.
- (b) No member of the Board of Governors of the Society shall be appointed to any salaried office of the Society, or any office of the Society, paid by fees, and no remuneration of association and no portion thereon shall be paid or transferred directly or indirectly, to the members of Society.

38. Delegation of Powers of BOG in respect of Administration and Service Matters:

The BOG hereby delegates its powers in respect of administration and service matters for the smooth and efficient day to day work of the Society, as per details given in ' **Appendix – A** ' enclosed with these rules.

39. Options for staff (Teaching and Non Teaching) of Govt. Polytechnic Combined Cadre:

- (a) The existing Govt. staff, both teaching as well as non teaching presently working in the Govt. Polytechnic before it is converted to Govt. Society Polytechnic shall be permitted to opt either for continuing as employees of the State Government and be governed by the government rules OR for transferring their services to the Society and being employee of the Society for all intents and purposes on the acceptance of their option for which a specific order would be issued. However, in later case, the rules of the Society will not be amended in such a manner so as to adversely affect the service conditions of the existing Govt. employees. Those Govt. employees, teaching or non teaching, who opt to continue to Government service, shall be treated on deputation to the Society but no deputation allowance shall be paid.
- (b) The existing Govt. employees of the Govt. Polytechnic will serve the Govt. Society Polytechnic upon the same terms and conditions and with the same rights and privileges as to pension, gratuity, provident fund and other matters as they were enjoying as Government employees before the registration of the Govt. Polytechnic into Govt. Society Polytechnic
- (c) In respect of rights and privileges as to leave, such of the permanent/ regular employees of the Government, serving in the Govt. Polytechnic who opt to serve the Govt. Society Polytechnic after the registration thereof will be treated as if they had continued to be Government servants and allowed to carry forward the leave of their credit on the date of the permanent transfer thereof to the Govt. Society Polytechnic, determined by keeping in view the number of employees, their salary and the amount and kind of leave, so carried forward, when the employees may avail themselves of the same. The procedure for working out the lump sum will be settled by the Government with the Govt. Society Polytechnic.
- (d) The persons who were taken on deputation by the State Government for service in the Govt. Polytechnic prior to the registration thereof, as a Society, shall thereafter continue to serve the Govt. Society Polytechnic on the same terms and condition to which they were entitled or the such terms of deputations may be laid down by the Govt. Polytechnic from time to time after obtaining the concurrence of their parent organization. The pensionary terms in respect of the Government employees who were transferred to the Society, on exercising option as aforesaid to serve the Polytechnic after the registration thereof as Society, shall be settled in the following manner:-

- (i) Permanent Government employees so transferred shall have the option to either retain the pensionary benefits available to them under the Government rules or be governed by the rules of the Society and in the event of exercising the former option, the said employees will be entitled to the benefits of the liberalization, if any, in pension rules introduced by the Government subsequent to transfer.
- (ii) The Government shall pay to the Employees pension who have opted to retain the service conditions as under the Government which provide pensionary benefits and where the Govt. Society Polytechnic has no pension scheme, but will recover from the Govt. Society Polytechnic for capitalized value (commuted value for pension plus the proportionate death-cum- retirement gratuity) of the Polytechnic's share of the pension on the retirement of the employee concerned, as determined on the basis of service rendered to the Govt. Society Polytechnic.
- (iii) In the event of death of an employee who has opted for continuing as employee of the Government, family pension/ death cum retirement gratuity to the family of the deceased will be admissible under Government rules and liability thereof appointed as in sub para (ii) above.
- (iv) In case where the Government employee transferred to the Govt. Polytechnic after the registration thereof as a Society, opts to the governed by the rules of the Society and the said rules provide for Contributory Provident Fund benefits, the Government shall pay to the Govt. Society Polytechnic Contributory Provident Fund Contribution and interest thereon for the period of service under them in terms of Government of Haryana rules.
- (v) Besides the option already given by the Government and exercised by the employees to serve the Govt. Society Polytechnic, the other option under the rules shall exercise only once and within a period of six month from the date of the notification of the rules and regulations of the Society. The option once exercised shall be final. The option in respect of pensionary terms shall be only once and within a period of six months from the date of their confirmation in the Polytechnic or within a period of six months the notification of the Rules and regulation of the Society, as the case may be.

The 18-02-2015.

SMT. DHEERA KHANDELWAL,
Administrative Secretary to Government Haryana,
Technical Education Department, Chandigarh cum Chairperson BOG.

APPENDIX - A**Delegation of Powers in respect of Administration and Service Matters in the Society**

S. No	Nature of powers	Extent of powers vested in BOG	Powers delegated to	Extent up to which powers are delegated	Remarks
1	To grant annual increment to Principal of Society Polytechnic	Full Powers	Account Officer, Directorate of Technical Education Haryana	Full Powers	Case to be sent on single file note
2	To grant annual increment to employees of the of Society/Polytechnic	Full Powers	Principal	Full Powers	
3	Fixation of Pay on promotion/ ACP/ selection grade of Group 'A', 'B', 'C' and 'D' employees of the Society except Principal	Full Powers	Personnel Committee of the Society	Full powers	Case will be put up before SAS personal i.e. Account Officer/ Section Officer of Directorate or Society Polytechnic for verification. There after approval from Personnel Committee of the Society will be obtained and orders to be issued by Principal
4	To sanction leave encashment in case of retired employees working in Society Polytechnic of all categories except Principal	Full Powers	Principal	Full powers	After approval from Personnel Committee of the Society, orders to be issued by Principal
5	To issue No Due Certificate to retired employees of Society	Full Powers	Principal	Full powers	Subject to FD Instructions /rules in this regard
6	Grant of Earned Leave/ Commuted Leave/ Extra Ordinary Leave to Principal	Full Powers	DGTE cum Vice Chairman	Full Powers	Case be sent to Vice Chairman for approval on single file keeping in view CSR Instructions in this regard
7	Grant of Earned Leave/ Commuted Leave/ Extra Ordinary Leave for staff of the Society except Principal	Full Powers	a. Principal b. DGTE cum Vice Chairman	a. Up to 30 days b. Above 30 days	For any leave above 30 days case be sent to Vice Chairman for approval on single file through Account Officer of the Department

8	To approve tour program/ Journey of Principal of the Society.	Full Powers	DGTE cum Vice Chairman	Full Powers	Case be sent to Vice Chairman for approval on single file.
9	To approve tour program/ Journey of staff of the Society	Full Powers	Principal	Full Powers	
10	To grant permission for availing LTC and to sanction LTC Claim for employees of the Society	Full Powers	Principal	Full powers	Govt. Instructions /rules in this regard must be adhered to
11	To grant permission for availing LTC to Principal	Full Powers	DGTE cum Vice Chairman/ Chairperson	Full Powers	Case be sent to Vice Chairman for approval on single file subject to Govt. Instructions /rules in this regard
12	Sanction of medical reimbursement to employees of the Society	Full Powers	a. Chairman/ Chairperson of Society b. Vice Chairman/ Chairperson of Society c. Principal	a. Beyond Rs. 1,00,000/- b. Above Rs. 50,000/-but not exceeding Rs. 1 Lac c. Up to Rs. 50,000/-	a. To be sent on single file through Account Officer of the Department subject to FD Instructions / rules in this regard b. Orders to be issued by Principal
13	To sanction refundable / non-refundable Advances under NPS	Full Powers	Principal	As per the norms of NSDL and New Pensions Scheme	As per the norms/ rules of NSDL and New Pensions Scheme
14	Counter signature of TA bills of Principal of Society	Full powers	Account Officer, Directorate of Technical Education Haryana	Full powers	Case to be sent on single file note
15	Maternity leave (including Miscarriage) (Rule 8.127 of CSR Vol.I Part-I) to the employees of the Society	Full Powers	a. Principal	Full powers	Subject to fulfillment of criteria/conditions as contained in Govt. Instructions in this regard
16	Child Adoption leave (Rule 8.127 (A) of CSR Vol.I Part-I) to the employees of Society	Full Powers	a. Principal	Full powers	Subject to fulfillment of criteria/conditions as contained in Govt. Instructions in this regard
17	Grant of Child Care Leave to the employee of society.	Full Powers	a. Vice Chairman/ Chairperson of society b. Principal	a. As applicable in Govt. mode staff b. Up to 30 days (or as amended from	a. To be sent on single file through Account Officer of the Department for the approval of Vice Chairman

				time to time)	b. Subject to fulfillment of criteria/conditions as contained in Govt. Instructions in this regard.
18	To sanction loans & advances for the celebration of marriage, computer advance, house building advance, motor vehicle advance or any other advance to employee of the Society as entitled to similarly place Govt. staff in Govt. Polytechnic Cadre of the State	Full powers	Principal	Full Powers	a. Principal will get suitable budget provision for the purpose in the particular Financial Year. b. Advance will be sanctioned strictly as per Govt. Instructions in this regard c. Allocation will be within sanctioned budget d. Recovery mechanism of the advance will be same as in case of Govt. employee but amount will be credited in Society account
19	Issue of NOC for grant of Passport to employees of the Society	Full powers	a. Vice Chairman/ Chairperson of Society b. Principal	a. Group 'A' and 'B' employees of the Society b. Group 'C' and 'D' employees of the Society	Proposal will be submitted on single file as per Govt. instructions in this regard
20	Forwarding of applications for seeking employment to other Departments/ Government by the officers of the Department.	Full powers	Principal	Full Powers	However, the same shall be governed by Security of Service Rules of the Bye-Laws of the Society in this regard
21	To grant Casual Leave to Principal	Full Powers	Vice Chairman/ Chairperson of Society	Full Powers	Proposal to be sent on single file
22	To grant Casual Leave to staff of the Society	Full Powers	Principal	Full Powers	CL will be sanctioned as per CSR and Govt. instructions
23	NOC to Group 'A' staff of Society for applying for post in other department	Full Powers	Vice Chairman/ Chairperson of BOG	Full Powers	
24	NOC to up to Group 'B' staff of Society for applying for post in other department	Full Powers	Principal	Full Powers	Subject to fulfillment of Govt. Instructions/ Rules

25	Permission to Group 'A' staff for pursuing higher studies/ B Tech/ M. Tech/ Ph D programs	Full Powers	Vice Chairman/ Chairperson of BOG	Full Powers	Full powers are subject to prior approval/ concurrence by FD for which the case will be submitted to Directorate on single file by respective Principals.
26	Permission to up to Group 'B' staff for pursuing higher studies/ B Tech/ M. Tech/ Ph D program	Full Powers	Principal	Full Powers	-do-
IMPORTANT NOTE 1: In respect of any powers not covered as above, full powers are vested with BOG. Further BOG delegate all such powers in the Society and not covered in the above as vested with DGTE being Head of Technical Education Department Haryana to DGTE cum Vice Chairman/Chairperson of the Society					
IMPORTANT NOTE 2: Service and other administrative matters related to Govt. employees from Govt. Polytechnic Cadre working in the Society by transfer on deputation or by transfer on permanent absorption basis will be governed by service rules and powers as applicable to similarly placed Govt. employee in Govt. Polytechnic Cadre with competencies/ approval /rules as applicable to them.					

The 18-02-2015.

SMT. DHEERA KHANDELWAL,
Administrative Secretary to Government Haryana,
Technical Education Department, Chandigarh cum Chairperson BOG